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City of Boston. ^{Vol 46}

1.

Monday, January 1st 1838.

This being the day appointed by law, for the organization of the City government. The following gentlemen appeared and took their seats - viz:

Samuel A. Eliot, Mayor.

Aldermen.

Henry Farnam.

Thomas Huntington.

Thomas Wetmore.

Thomas Richardson.

Nathan Gurney.

Isaac Harris.

Joseph M. Maynard.

Martin Brimmer.

Mr. Edwards came up with a message, Message - stating that a quorum of the Common Council had assembled, and were now ready to form a Convention of the two branches of the City Council, for the purpose of their being organized.

The two branches met in convention in Prayer. the Common Council chamber. The meeting was opened with prayer by the Rev. Francis Parkman, D. D.

The Honorable Samuel Shaw, Chief Justice of the Supreme Judicial Court, administered the several oaths required by law, to the Mayor. The Mayor afterwards administered the like oaths to the Aldermen; and then to the members of the Common Council. The two branches then separated. Mayor sworn.

A message was received from the Common Council, that they had made choice of Philip Mallett, Esq. President Clerk for President, and Richard G. Wait, Esq. Clerk.

2.

Ordered, that a message be sent to the City Clerk the Common Council, proposing a convention forthwith, of the City Council, in the Common Council Chamber, for the purpose of electing a City Clerk.

A message was received from the Common Council signifying their concurrence with the board of Aldermen to form a convention of the City Council at the time, for the purpose above mentioned.

In Convention.

Agreeably to apignment the two branches of the City Council met in convention, in the Common Council room, for the purpose of electing a City Clerk. Alderman Farnam, Messrs Gordon and Drake, were appointed a committee to receive, sort and count the votes, who reported that the whole number was fifty; all of which were for Samuel S. McCleary, and he was unanimously chosen. The oath of office was administered to him, by the Mayor.

The business of the convention being accomplished, the two branches separated.

Standing Com^{tees}

The following standing committees were nominated and appointed, viz:

External health Aldermen Wetmore, Farnam and Gurney.

Internal health " Maynard, Huntington and Harris.

Jail, Houses of Correction, Industry and Reformation The Mayor, Ald. Wetmore & Richardson.

Fire department The Mayor. " Farnam & Brimmer.

Market Aldermen Huntington and Harris.

Common, Mills, Fort Hill & Cops Hill The Mayor - Aldermen Farnam & Gurney.

<u>Burial grounds.</u>	Aldermen	Farnam, Richardson & Brimmer.	3.
<u>Lamps, bells & clocks.</u>	"	Gurney, Huntington & Brimmer.	
<u>Bridges.</u>	"	Hunting and Richardson.	
<u>Licenses.</u>	"	Wetmore, Gurney & Hayward.	
<u>Streets laying out & widening</u>	"	Farnam, Gurney and Wetmore.	
<u>Paving - & repairs of streets.</u>	"	Hunting, Richardson & Harris.	
<u>Drains and sewers</u>	"	Wetmore, Brimmer & Harris.	

Petition of E. H. Lyford, & others. Lyford
to be relieved from the assessment made upon them, for the Com: sewer
cost of laying the common sewer in Chamber street. Ref:
to the committee on drains and sewers.

Ordered, that the several petitions unfinished
and memorials relating to common sewers and drains - also business
relating to laying out and widening streets - and relating
to bells and clocks - and not acted upon, be referred to the
several committees to which they belong.

Ordered, that the regular times
for the meetings of this board, be on Mondays, at four
o'clock P. M.

Adjourned to Monday next, four o'clock p.m.

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At a meeting of the board of Aldermen of the City of Boston, held at City Hall, on Monday, the eighth day of January, A. D. 1838.

Present—

The Mayor, and the whole board of Aldermen.

Rules & Orders.

Ordered, That the joint rules and orders of the City Council for the past year, be adopted until otherwise ordered. Passed in Common Council
Came up for concurrence.
Read and concurred.

Rules & Orders
come on

Order of the Common Council appointing Messrs Jospelyn, Leavens and Dodd, with such as the board of Aldermen might join, a committee to prepare and report rules and orders for the government of the two branches of the City Council. Came up for concurrence.
Read and concurred, and Aldermen Farnam and Wetmore were joined.

Children

Order of the Common Council appointing Messrs Grant, Edwards and Hammond, with such as the board of Aldermen might join, a committee for the purpose of considering the expediency of adopting some mode whereby those children who are too old for admission into the primary schools, & are not qualified for admission into the grammar schools, may be provided with the means of education. Came up for concurrence. Read & concurred, & Aldermen Wetmore, Gurney and Harris were joined.

Order of the Common Council ap. 5.

appointing Messrs Isaac Parker, Chapman, Brown, J. Shellen, Water-
Whitow, Pratt, and Thompson, with such as the Board of
Aldermen might join, a committee on the introduction of
pure and soft water into the City. Came up for con-
currence. Read and concurred, and the Mayor, Alder-
men, Barnum, Webster, Gurney and Hayward, were joined.

Order of the Common Council di- Water Com^{rs}

recting the report of the Commissioners on the introduction report.
of pure soft water into the City, to be referred to the
standing committee of both boards on that subject.

Came up for concurrence
Read and concurred.

Order of the Common Council in- Water

structing the committee on the introduction of pure water ad^d powers
to inquire whether or not, it will be necessary to apply
to the Legislature for additional powers, to enable the City
to construct works on either plan proposed by the Com-
missioners, or some other source - to consult the City Solici-
tor or other Council, on the subject, and to report the
result of their inquiry, with said legal opinions to the
City Council.

Came up for concurrence.

Read and concurred.

Ordered, that 2500 copies of the report of the Water

Commissioners on the subject of the introduction of pure water into the City
be printed & distributed among the Inhabitants.

6 Resolved, That the safety and
convenience of the Inhabitants require that Hancock
street be widened near the corner of Salutation street,
and the same is hereby widened by taking a piece of
land from the estate of the heirs of Benjamin Fuller
deceased, and the land so taken is hereby made a part
of the public street or highway as follows viz, begin-
ning at the south west corner of said estate on Hancock
street, thence running easterly one foot more or less to
the north west corner of a brick house belonging to Joseph
Abbott, thence northerly twenty five feet to a point one
foot distant from said street, thence westerly one foot more
or less to the present line of the street, thence southerly by
the line of the street twenty five feet more or less to the
point of beginning taking from the estate of the heirs
of said Fuller, twenty five feet of land.

Public Buildings

Order of the Common Council ap-
pointing, Messrs. Hewitt, Belch, Preston, Thos. J. Shelton,
& Podd, a standing Committee on public buildings
on their part. Came up for Concurrence. Read and
concurred, and the Mayor, Aldermen Farnam and
Brimmer were appointed on the part of this Board.

Public Lands

Order of the Common Council
appointing, Messrs. Grosvenor, Hammond & White, with
such as the Board of Aldermen might join, a Committee
on Public Lands. Came up for Concurrence. Read &
concurred, & Aldermen Gurney & Huntington were joined.

A message was received from J.

The Common Council announcing, that a vacancy ex. Common Council
ists in that board, in consequence of the resignation of member resigned.
Mr. John Belis, a member elect from Ward Three. There Warrant for new election.
upon ordered, that a warrant be issued for a meeting
of said ward, on Monday next, 12 O'Clock. A. M. for the
purpose of filling said vacancy. The poll to be kept
open until three O'Clock p.m.

Ordered, that there be paid Fuller
to the heirs of the late Benjamin Fuller, deceased, the
sum of thirty five dollars, in full for twenty five feet
of land taken from their estate to widen Hanover Street,
on their giving a good & sufficient deed of the same,
& releasing the City from all damages.

The Superintendent of drains Jewers
& Jewers, reported the following sewers, and the assess-
ments of each person interested in the same, vizt. Se-
eral & Atkinson; Salutation & North Margin Streets.
Road & paved, & thereupon ordered, that said sup-
erintendent make out the several bills, & lodge them
with the Treasurer for collection.

Ordered, that there be paid
paid to Thomas Gould, on the first day of May
next, the sum of five thousand, four hundred and
nine dollars, & nine cents, in full for two thousand six
hundred & fifty one feet and an half of land taken

8. from his estate, formerly known as the estate of Capt. Benjamin Smith, deceased, to extend Cooper Street, on his giving a good & sufficient deed of the same, remove from the line of the street all the buildings now thereon, indemnify the City against all claims, he may have to the passage way, and release the City from all damages.

Sheriff-Summer

Petition of Sheriff Summer, stating that for the year 1837, he has received from his deputies \$745.37 more than his \$2000; and asking permission to retain this surplus, to make up in part the amount of deficits of \$4628.02 which have happened every year since 1 June 1831. Read & referred to the Committee on County accounts to be hereafter appointed.

Finance

Committee

Order of the Common Council, appointing Messrs Williams, Jepslyn, Gordon, Curtis, Vose, Brooks & Richardson a standing ^{Committee} of Finance. The Mayor is ex officio Chairman of said Committee.

Adams, Homer & Co

Take note

Have

Petition of Adams, Homer & Co. J. A. Homer & Co. & Elephanta Baker & Co. that they may be paid in specie or its equivalent, the amount due for interest of certain stock held by certain bankers in England, & transmitted to the petitioners for collection. Referred to the Committee on Finance.

sent down for Concurrence.
Come up Concurred.

Ordered, that Aldermen Brim-

mer, Tarnam & Gurney, with such as the Common Council may join, be a Committee to consider and report upon the expediency of petitioning the Legislature, to pass a Law, authorizing the City of Boston, to assess County & City taxes, on the first day of January annually, instead of the first day of May, as now provided. Sent down for Concurrence. Came up Concurrence, & the Common Council joined on its part. Messrs. Gordon, Raymond, Lincoln, Richardson & Pratt.

Petition of Charles Jackson, that

he may be reimbursed the amount of taxes, illegally assessed upon him. Reported to Aldermen Wetmore, Gurney & Tarnam, with such as the Common Council may join, to consider and report. Sent down for Concurrence. Came up Concurrence, and the Common Council joined on its part. Messrs. Williams, Gordon, Richardson, Curtis and Rose.

Petition of John Selous, that

the location of the several streets at South Boston, may be ascertained. Reported to Aldermen Wetmore, Richardson & Brimmer.

Petition of William Adams, Adams

to have the care of the public clocks. Reported to the Committee on Calls & clocks &c.

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Songley

Petition of Judith J. Songley to be re-

lieved from the amount assessed upon her, for a drain or common sewer.
Referred to the Committee on drains and sewers.

Wall.

Petition of James R. Wall for a

license to give a Concert of Vocal Music at the Artists Gallery on Tuesday evening next. Referred to the Committee on licenses with full power.

Engine No. 15.

Petition of Engine Company No. 15

that the name of Engine No. 15, now used by them, be changed from Torrent to Relief. Referred to the Committee on the fire department.

Etheridge.

Petition of Mary Etheridge, to be

paid for land, belonging to her near the Johnson School house.
Referred to Aldermen Wayman and Hunting.

Overseers of poor.

Account of receipts & expenditures

of the overseers of the poor, the last year. Read & sent down.

Woodmeasures

John R. Bradford, Wood Measures

returns that he measured the last year 761 Loads of wood and bark. Read and filed.

Saving.

Ordered, that the several pet-

itions, memorials & other subjects respecting saving and repairs of streets on file of the last year & not acted upon be taken from the file & referred to the Committee on saving

Ordered, That during the current year, 11.

The Mayor and Aldermen shall have the immediate care & super- Public Buildings
intendence of the Public Buildings; and it shall be their duty to
keep the same in repair & good order; and they shall have full power
or to grant the gratuitous use of the same for a term of time not
exceeding thirty days.

Ordered, That there shall be ap-
pointed a Standing Committee of the City Council on Public
Buildings to consist of three Members of the Board of Alder-
men and of five Members of the Common Council, and the
said Standing Committee are hereby authorized, and shall
have full power to make and execute all leases and contracts
for Leases of the Public Buildings, where rent is reserved, and
for a term not exceeding three years.

Ordered, That all such Leases
and contracts for leases, where the term exceeds three years,
shall be committed to said standing committee, and
it shall be their duty to report the same to the City
Council, for its sanction & approval. before the same
shall have any obligatory effect on the City. Sent
down for Concurrence. Came up Concurred, with
amendments. Read & Non concurred.

John B. Russell, member elect Jun^y 9 1833.
of the Common Council. from Ward No 9 attended by Common Council
Mr. Harris, appeared & took the several oaths requir^{member}
ed by law, to qualify him as a member of that board; ^{qualified}
which oaths were administered to him by the Mayor.

Henry Rice, member elect of the
 January 15, 1838. Common Council from Ward No. 7. attended by Mr. Isaac
 Parker, appeared and took the several oaths, as above mention-
 ed for the purposes above mentioned, which were administered
 by the Mayor.

Adjourned to Monday next, four
 O'Clock P.M.

At a meeting of the board
 of Aldermen, of the City of Boston, held at City Hall,
 on Monday, the fifteenth day of January, A.D. 1838.
 Present

The Mayor, & the whole board of Aldermen.

Sitman
 Ward 3. & others. Petition of Thomas S. Sitman
 & others. Inhabitants of Ward No. 3. That a more
 suitable place may be provided for meetings in
 said ward, than the Gun House. Referred to
 the Committee on public buildings on the part
 of this board.

Bancroft
 Ward 7. & others. Petition of Aaron Bancroft,
 & others. To have obstructions removed from Pearl
 Street between Purchase & Broad Streets. Refer-
 red to the Committee on Streets.

Petition of the Fifty Associates 13

to be paid for land taken from their estate to widen Washington Fifty Associates
ten street. Referred to the Committee on Streets. Washington street

Petition of H. S. Saine, to be Saine
paid for land taken to widen South & East streets. East Street.
Referred to the Committee on Streets.

Petition of Henry Sargent, Sargent
to be paid for land taken to widen Washington street. Referred to the Washington Street
Committee on Streets.

Petition of Joseph W. Taylor, to Taylor
to be paid for land taken to widen Salem Street. Referred to Salem Street
to the Committee on Streets.

Petition of Joseph Stroens, Stevens
for an extension of the time of payment of an installment
due on his obligation to the City for the price of a piece of
land. Referred to the committee on finances.

Sent down for Concurrence

Came up Concurred

The Superintendent of common-levies
sewers made reports of assessments of the costs of the
following sewers, vizt. Beverly, Medford, Thatcher and
North Margin Streets. Read & passed, and thereupon
ordered that said Superintendent make out the sev-
eral bills & lodge them with the Treasurer for collection.

The Committee on the fire department to whom was referred the petition of Engine Company No 15, that the name of said Engine may be exchanged from *Sturcut* to *Eliot*, reported, that the prayer of the petition, in conformity with the usage which has prevailed in the fire department of allowing Engine companies to select their own names, should be granted. Read and Accepted.

Woodward

Petition of Joseph Woodward for leave to place a monument at the head of Broadway near Dorchester Street. Referred to the Committee on Sparring.

Symon School House

Order of the Common Council committing the application of the School Committee for a new school house at East Boston, for the accommodation of the Symon School, to the standing committee on public instruction, with such as the board of Aldermen might join, to consider & report. Came up for Concurrence. Read & Concurred, & the standing Committee on public buildings, on the part of this board were joined.

Soring estate

Order of the Common Council, instructing the joint committee on public lands to consider the expediency of purchasing the Soring estate on Court street west of the new Court house. Came up for Concurrence

Order of the Common Council, 15.

directing that the papers on the files of the City Council Eliot School
in relation to the purchase of land in the vicinity of the House.
Eliot School House be committed to the standing committee on public instruction, with such as the Board of Aldermen might join, to consider & report. Came up for concurrence. Read & Concurred, and the Committee on public buildings on the part of this board were joined.

Ordered. That the Report of the Juvenile
Committee of conference on the part of this board, with offenders.
the draft of an act accompanying the same, drawn by the City Solicitor, relating to Juvenile Offenders, be taken from the files & referred to Messrs. Shattuck, Austin & Ellis, with such as the Board of Aldermen may join to consider & report, and that said committee obtain & report the written answer of the Directors of the Houses of Industry & Reformation to the enquiry, whether in the event of the passage of the proposed Act, the arrangement contemplated would be acceptable to those two Boards, and that the said Committee be further instructed, to obtain & report the written opinion of the City Solicitor on the following point, 1st Whether the Legislature can constitutionally make a Law by which Minors can be confined in the House of Reformation without having been first convicted before a judicial Tribunal, of an in-

16. fraction of some one of the Statutes of this Commonwealth. 2. Whether the City Council have authority to cause taxes to be assessed on the Citizens for the support of Minors not convicted of any criminal offence, nor of any of the Specifications of the acts relating to vagrants, nor coming under the Laws regulating the support of Paupers. Taped in Common Council. Came up for Concurrence. Read & Concurred, and the Committee on the Jail, Houses of Correction, Industry and Reformation were joined.

Water.

Order of the Common Council, directing that so much of the Mayor's address as relates to introduction of water into the City, be referred to the joint standing committee on Water.

Came up for Concurrence.
Read and Concurred.

Hospital
for Lunatics.

Order of the Common Council directing that so much of the Mayor's address as relates to the erection of the Hospital for Lunatics & Idiots to the standing Committee on the Houses of Industry, Correction & Reformation, with such as the Board of Aldermen might join to consider & report. Came up for Concurrence. Read & Concurred, & the Committee on the Jail, Houses of Industry, Correction & Reformation were joined.

Order of the Common 17

Council, directing that so much of the Mayor's ad. City Hall, drop as relates to the erection of a new City Hall, Court House, & Jail & disposal of the land & buildings in Secrett Street, belonging to the City to Messrs. Williams, Grosvenor, Eaton, Mr. Allister & Moulton, with such as the Board of Aldermen might join, to consider & report. Came up for Concurrence, and the Committee on public buildings were joined.

Order of the Common Coun. Police

cil directing that so much of the Mayor's address as relates to the new organization of the Police, together with the papers on file relating to that subject be committed to Messrs. Chapman, Curtis & Gopelyn, with such as the Board of Aldermen might join, to consider & report. Came up for Concurrence. Read & Concurred & the Mayor & Aldermen Wetmore were joined.

Order of the Common Coun. Alien pauper.

cil directing that so much of the Mayor's address as relates to the subject of Alien paupers, be referred to Messrs. Austin, T. J. Shelton & Rice, with such as the Board of Aldermen might join to consider & report. Came up for Concurrence. Read & Concurred & the Aldermen Gurney & Huntington were joined.

The Committee appointed to take orders prepare & report rules & orders for the government of the Council.

18. Franchises of the City Council. Reported as on file. Read
& Accepted. Sent down for Concurrence.
Came up Concurred.

Committee
on Accounts.

Order of the Common Council appointing Messrs James Harris, Thomas C. Amory & James M. Elliston, a committee on accounts on its part. Agreeably to assignment the board proceeded by ballot to the choice on its part, & the votes being taken it appeared that Aldermen Hayward & Sweeney were chosen.

County
Accounts.

Aldermen Hayward & Sweeney were nominated & appointed a Committee on County Accounts.

Resident
Physician.

Agreeably to assignment the board proceeded by ballot to the choice of Resident Physician at Wainsford Island, & the votes being taken it appeared that Jerome T. C. Smith, M.D. was unanimously chosen. Sent down for Concurrence.
Came up Concurred.

Island
Keeper.

Agreeably to assignment, the board proceeded by ballot to the choice of keeper of Wainsford Island, & the votes being taken it appeared that John Alcott was unanimously chosen. Sent down for Concurrence. Came up concurred.

The City Treasurer & Auditor 19.
Having certified that two notes of hand signed by Nathl. Mortgages
aniel Curtis, whereby he promised to pay to the City of ^{discharge.}
Boston, the sum of \$1957.95, the payment was secured
by a mortgage recorded with Suffolk Deeds Lib. 331 fol.
292. have been fully paid both principal & interest. There
upon ordered, that the Mayor be authorized & requested
to discharge the same on the records.

Wm. H. Hadley, meas. meas. Wood Measures
were returned that he measured the last year 125 loads ^{Returns.}
of wood & bark.

Ordered, that the application Long Wharf,
tion of the Proprietors of Long Wharf, to have the lamps
on said Wharf lighted at the expense of the City, be
taken from the files & referred to the Committee on
Lamps.

Report of the Inspectors of Inspectors of Prisons
Prison for the County of Suffolk, of the State of ^{return.}
the Jail, Houses of Correction, Reformation and
Industry. Read & referred to the Standing Committee
on the Jail, Houses of Correction, Reformat-
ion & Industry with instruction to cause to be
printed such part of said reports as they may
deem expedient.

Adjourned to Monday next.
4 O'clock P.M.

At a special meeting of the board
of Aldermen of the City of Boston, held at City Hall,
on Wednesday, the seventeenth day of January A.D.
1838.

Present.

The Mayor, and the whole board of Aldermen, except
Aldermen Hayward & Richardson,

Fire Department
Engines

A Communication of the
Chief Engineer of the fire department, stating, that
Engines Nos. 15 & 17, were at the fire at East Cambridge
on the evening of the 13th instant - and Engine No 10 at
the fire at Malden, on the 2^d instant, all contrary
to the rules & regulations of the fire department. Ref-
erred to the Committee on the fire department.

January 22^d
1838.

Com: Council
member qualified

William Eaton, member

elect of the Common Council from Ward
No. 3. attended by Dr. Snow, appeared, & took
the several oaths required by law, to qualify him
as a member of that board; which oaths were ad-
ministered to him by the Mayor.

Adjourned to Monday next,
Four O'Clock p.m.

At a meeting of the board 21
of Aldermen of the City of Boston, held at City
Hall, on Monday the twenty second day of Jan-
uary A.D. 1838.

Present.

The Mayor and the whole board of Aldermen.

The Superintendents of common sewers
common sewers reported, the costs of constructing
the following common sewers, & the apportionment thereof
viz. Charlestown Street Washington Street between
School & Court streets & Synde Street. Read and
passed, & thereupon ordered, that said su-
perintendents make out the several bills & lodge them with
the Treasurer for collection, according to law.

Petition of Betsey Allds. Allds
widow of John Allds. for herself & her minor child: ^{Shacker Street.}
now, praying to be exempted from the payment of
the cost of a drain in Shacker Street on account of
their inability to pay. Referred to the Committee on
Drains &c.

Petition of Frederick J. Gray Gray &
& Benajah Brigham, to be relieved from the payment ^{Brigham}
out of the cost of a drain for the reasons therein sta-
ted. Referred to the Committee on drains &c.

The Committee on the petition
 Long wharf of the proprietors of Long Wharf, to have the Lamps light-
 ed on said wharf, at the expense of the City, reported
 as follows. viz. That by reference to the records of the
 town it appears that in 1710 Dr. Oliver Moxes & his
 associates made a contract with the town to build
 a wharf from the bottom of King Street (now State
 Street) of the same width & in the same direction
 of said street extending easterly to low water mark:
 the town to furnish the flats necessary for the erec-
 tion of the same, free from any expense to the
 proprietors. The proprietors on their part agreed
 to erect a good & substantial wharf of the dimen-
 sions aforesaid & to complete the whole within
 the term of four years, & when so completed, they
 further stipulated to leave a space thirty feet
 wide, extending the whole length of the wharf,
 to be improved forever thereafter as a street or
 public highway, & to keep the same in good repair
 & free from all incumbrances & expenses to the
 City. All the conditions of this contract have
 been complied with on the part of the prop-
 rietors for aught that appears upon the records.
 The City consequently, have a public street 30
 feet wide the whole extent of the wharf to be kept
 in good repair forever without expense. The Com-
 mittee are therefore, under all the circumstances
 are of opinion that the request is reasonable &
 recommend the adoption of the following order.

all which is respectfully submitted. for the Com^{tee} 23
mittee. Nathan Gurney.

Ordered, That the Super-
intendent of Camps be, & he is hereby instructed
to light the seven Camps located on the South
side of the buildings on the Long Wharf, & here-
tofore lighted at the expense of the proprietors
of said wharf, & that they be hereafter lighted
at the expense of the City. Read. Accepted &
The order passed.

Petition of James H. Say, Super-
ward & others. for the use of a room in the Frank-
lin School House, for sabbath evening lectures.
Referred to the Committee on public buildings
on the part of this Board

Frederick Butler Cash Auctioneer.
Under licensed as an Auctioneer & his time
approved.

Order of the Common Coun^{cil} ^{Coal}
cil appointing Messrs. Moulton, Grand & Ellis, ^{weighing ct.}
with such as the Board of Aldermen might join,
a Committee to consider & report on the expediency
of appointing weighers of Coal when sold from
off the wharves in the City. Came up for con-
sensus. Read & Concurred, & Aldermen Hunting

24 Harris & Gurney were joined.

Sold, heirs
Salem St.

Ordered, that there be paid
to Samuell Lord's heirs, on the fifth day of Febru-
ary next, the sum of one hundred & sixty three doll-
ars & seventy five cents, in full payment, for sixty
five & one half feet of land taken from their esta-
te on the west side of Salem Street near Prince
Street, to widen said Salem Street. which sum is
to be in full for all damages sustained by them;
provided that the said heirs shall give a good
& sufficient deed to the City for land so taken
into the street, & release the City from all dam-
ages.

Washington
Street

Resolved, That the safety and
convenience of the Inhabitants require Washington
Street to be widened, on the easterly side, between
State Street & Dick Square, & the same is hereby
widened by taking a piece of land from the estates
of William Hayden Junr & the heirs of the late John
Taylor Gilman, as follows viz beginning at the
southerly corner of land of said Haydens thence
running Northerly on the line of the street fifty
seven feet to land of the Massachusetts General
Hospital. Thence easterly four feet & one inch.
thence southerly on land of said Hayden and
Gilman fifty six feet nine inches thence four
feet one inch to the point of beginning taking

one Hundred & forty two feet & one quarter from said Way 25.
den & eighty feet & one third from said Gilman's heirs
according to a plan drawn by Alexander Hadsorthe
dated September 25th 1837.

Ordered, that there be paid ^{Paine}
to R. T. Paine Esq. on the fifth day of February next, ^{South & East}
the sum of one hundred & fifty five dollars, & twenty ^{Streets.}
five cents, in full payment for sixty nine feet of land
taken from his estate at the corner of South & East
Streets, to widen said streets; which sum is to be in
full for all damages sustained by him, or his tenants;
provided that the said Paine shall give to the City a
good & sufficient deed of the Land so taken into the
street, & release the City from all damages.

The City Treasurer & Auditor ^{Mortgage}
of accounts having certified that a bond of Enoch ^{discharged.}
Tibbels, whereby he became obliged to the City in the
sum of \$2000. the payment of which was secured by
Mortgage recorded with Suffolk (Scries) Lib. 395 fol. 151 has
been fully paid, both principal & interest. Thereupon ord-
ered, that the Mayor be authorized & requested to discharge
the same on the records.

The Committee on Finance Baker & Co.
to whom were referred the petitions of E. Baker & Co. ^{Adams Homer & Co.}
Adams Homer & Co. & J. C. Homer & Co. praying for
allowance of the premium on specie for the interest

26 of City Stock to be remitted abroad. Have considered the subject, & are of opinion it is inexpedient the prayer of these petitions should be granted. They have accordingly directed me to report the following order. For the Committee. Saml. J. Eliot.

Ordered, that the City Treasurer be authorized to ^{A.} pay the difference between bills & specie on the interest of the City Debt held by C. Baker & Co. Adams, Warner & Co. & J. C. Moore & Co. as agents. Ordered, That the committee on Finance be authorized to give the same power to the City Treasurer whenever such applications may be made under similar circumstances.] B. Read & accepted with the following amendment Strike out from A to B. & insert "furnish facilities to foreign holders of City scrip to enable their agents to remit on as favourable terms as if the banks of the City were paying specie." And it is ordered that the same be recommended to the committee on finance. Sent down for concurrence. In Common Council. Read & Non-Concurred & the original order reported by the Comtee. adopted with this amendment to wit, to insert in continuation of the first order (these words) "of the foreign holders of said debt. Came up for concurrence. Read again, and the Board reconsidered its former vote & Concurred with the Common Council.

The committee on the notice of Henry Dawes of his intention of building on Robinson Alley reported, that no action of the board is required. Read and Accepted.

27.

Dawes
Robinson Alley

The Committee to whom was referred the petition of Nathl. B. Tyler and others, praying that the wooden projection in front of store No. 30 Washington Street be removed to the line of the street, reported as follows, viz. That Henry Earl & Co. the present tenants of said Store who have a Long Lease of the same, & the owners of said estate, have both been paid for all damages sustained by widening Washington Street at No. 30. That the present wooden projection was permitted by this board until the next estate was set back to the line, as that has been done it becomes proper to remove said projection. The Committee therefore respectfully submit the following order for the purpose. For the Committee Henry Barnard.

Tyler

Washington St.

Ordered, That the projection in front of the line of the street at No. 30 Washington Street be removed & that the Committee on laying out & widening streets, cause the same to be done. Read, Accepted and the order passed.

William March was Westmoreland measurer returned that he measured the last year 439 Loads of wood.

Superintendent
of Streets

Agreeably to a signment
the board proceeded by ballot to the choice of Super-
intendent of Streets, & the votes being taken, it appear-
ed that Lophamiah Sampson was unanimously
chosen.

Sent down for concurrence.
Came up concurred.

Hay Neighers

Agreeably to a signment the
board proceeded by ballot to the choice of Hay
Neighers, and the votes being taken, it appeared
that John W. Bradford was chosen for the northern
seats, and Ebenezer Clough for the southern
seats.

Sent down for concurrence.
Came up concurred.

Adjourned to Monday next,
Four O'Clock P.M.

At a meeting of the board
of Aldermen, of the City of Boston, held at City
Hall, on Monday the twenty ninth day of Jan-
uary A.D. 1838.

Present -

The Mayor, and the whole board of Alder-
men, except Alderman Brimmer.

The rules respecting the care 29.

& management of the public buildings being again read ^{Public Buildings} wherein the Common Council insisted in its proposed am- ^{Com. Conference} endments. This Board does adhere to its former vote, & thereupon ordered, that Alderman Farnam, Gurney & Wetmore be a committee to confer with such committee as the Common Council may appoint on its part, relative to the subject matter of difference between the two Boards. Sent down for concurrence. Came up concurred, & the Common Council joined on its part Messrs Grosvenor, Moulton and Preston.

Ordered, that warrants be ^{Warrants} issued for meetings of the Inhabitants of the ^{for} City in their several wards, on Monday the fifth ^{Ward meetings} day of February next, at 12 O'clock, A. M. then & there to give in their ballots for or against the amendment of the City Charter, as proposed by the City Council. The poll to be kept open until three O'clock p.m.

Petition of Ephraim Marsh ^{Marsh} offering to surrender to the City, Fayette ^{Fayette St.} Street. Referred to the Committee on Streets.

Ordered, that the sum of Fifty Dollars, one thousand nine hundred & twenty one dollars

30. Twenty eight cents, to be paid to the Fifty Associates, on the fifth day of next month, in full for one hundred & seventy five & two thirds of land taken from their estate at no. 184 Washington Street, to widen D. Street, on their giving a good & sufficient deed of said land, & releasing the City from all damages.

Common Sewers

Order of the Common Council, directing that the report of the Superintendent of Common Sewers, made in compliance with the an order of S. Council together with the Ordinance on the subject of drains be referred to Messrs Austin, Hammond & Raymond with such as the Board of Aldermen might join, to consider the report, if any modification of the existing ordinance on the subject is necessary. Came up for Concurrence. Read & Concurred & the Committee on drains & sewers were joined.

Common Sewers

The Superintendent of Common Sewers reports the cost of constructing & the appropments of the following sewers, vizt. Congress Street, near State Street, Green Street, Somerset Street, Knolland Street & School Street. Read & passed, & thereupon ordered, that said Superintendent make out the several bills & lodge them with the Treasurer for collection.

The several petitions 31.
of the Second Baptist Church Worton Newcomb 2nd Baptist Church
& John Gabriel & Joseph Swett praying that they
may be relieved, from the assessments made up
on them respectively, for the construction, of the
Common Sewer in North Margin & Thatcher
Streets. Read to the Committee on drains &
sewers.

John Wheeler, nominal Auctioneer
led & appointed as Auctioneer, & his bonds
approved. <sup>Auctioneer
appointed.</sup>

The Committee on the Summer
Memorial of Sheriff Sumner respecting the
surplus money received from his deputies, rep-
orted as follows, viz! The Committee on County
Accounts to whom was referred the Memorial
of Sheriff, C. P. Sumner, being unable to find
any authority, in the Law of the Commonwealth
concerning the compensation allowed to Sheriffs,
to allow them to grant his request, beg leave to
report, that the petitioners have leave to with-
draw. For the Committee Jos. P. Haymard.
Read & accepted.

Ordered, that the Com. Building
Committee on lamps be instructed, to enquire into
the expediency of causing to be placed lamps

32. on the posts, embraced in the fence recently put up on Broadway near D Street with power to erect the same, if in their judgement required.

Bancroft.
Pearl St.

The Committee to whom was referred, the petition of Aaron Bancroft & others praying, that wooden buildings, on Pearl near the corner of Broad Street & projecting into the former street be removed, reported as follows, viz^t "That in July last the City of Boston purchased of the proprietors of Liverpool Wharf - a lot of land for the special purpose of extending Pearl to Broad Street. That on said lot of land on the South or do side, near the corner of Broad Street, stands three small wooden buildings, said buildings are leased & occupied by Mr. Larkin Snow. That said proprietors have given a bond to the City of Boston, obligating themselves to remove said buildings from the line of the Street on or by the fourth day of April next at their own expense. That said Snow has various kinds of goods in said buildings which would be very troublesome to remove. That to remove them at the present time would cost the City from fifty to seventy dollars, that the annoyance from the top water is not much & that the contract to remove them will take place in sixty five days from the date of this report. For the above reasons the Committee are opposed to the removing said buildings at the present

time. & ask leave to be discharged from the further 33.
consideration of the subject. For the Committee
Henry Parnam. — Read & Accepted.

The Committee on the <sup>Tower,
Brookline St.</sup>
petition of Job Tower praying, that the amount
assessed upon him, for the common sewer in Brook-
line street be released he never having been ben-
efitted thereby reported, that the prayer of the
petitioner ought to be granted.

— Read & Accepted.

The Committee on the <sup>Dennison,
Fayette St.</sup>
petition of James Dennison to have the am-
ount assessed upon him, for making common
sewers in Fayette street, abated, reported that
the petitioner have leave to withdraw his
petition. — Read & Accepted.

The Committee on the ^{Longley.}
petition of Judith J. Longley, to be relieved
from the payment of the amount assessed upon
her for the construction of a common sewer.
reported that the subject be referred to the
City Solicitor. — Read & Accepted.

The Committee on the <sup>Allds.
The other 2</sup>
petition of Betsey Allds widow of John
Allds, to be exempted from the payment of

311. The sum assessed upon her estate, for a common sewer in Thacher Street, being unable to pay, reported that the same be referred to the City Solicitor.

— Read & Accepted.

Cheever,
Fayette St.

The Committee on the petition of Joshua Cheever & others respecting the sewer in Fayette Street, reported as follows, viz. That the facts stated in this petition appear to be true & that the prayer thereof ought therefore to be granted & that the assessment on the sewer in Fayette Street ought to be revised. Thos. Wetmore for the Committee.

— Read & Accepted.

Sacoste
Washington St.

Ordered, that there be paid to P. A. Sacoste, on the fifth day of February next, the sum of two hundred dollars, in full for damages sustained by him in widening Washington street at No. 190 on said street. Provided, he gives a receipt releasing the City from further damages.

— Read & Accepted.

Etheridge.

The Committee on the petition of Mary Etheridge, to be paid for land belonging to her, on which the Johnson School House stands in part, reported as follows, viz. They are of opinion that it ought

to be granted & recommend the passage of the foll. 35.
owing order, viz. For the Committee for the Way-
ward.

Ordered, that there be paid
to Mary Ethridge seventy five dollars on her giving
a good & sufficient deed of twenty three feet of land,
taken from the estate on Tremont Street near the
Johnson School House, & releasing the City from all
damages.

Petition of David Green, Green.
for a lease of land in Market Square formerly
leased to John H. Simpson. Referred to the Comm-
on public Lands. Sent down, for concurrence
Came up Concurred

The Committee on pub. Buildings to whom was referred the petition
of James W. Hayward & others, for the use of a room
in the Franklin School House, reported as follows.
viz. They are of opinion that it is inexpedient
to grant the prayer of it, for reasons which have
been repeatedly given on former similar occa-
sions. The additional risk of fire to a building
of so much importance as a grammar school
cannot be compensated by insurance. They there-
fore ask leave to report that the petitioners have
leave to withdraw their petition. For the Committee
Sam. A. Eliot. ~ Read & Accepted.
Adjourned to Monday next, 4 O'Clock P.M.

At a meeting of the Board
of Aldermen of the City of Boston, held at City Hall,
on Monday, the fifth day of February. A. D. 1835.
Present.

The Mayor, and the whole Board of Aldermen, ex-
cept Alderman Richardson.

Foster
Broadway.

Petitions of Isaac Foster
& others, to have lamps lighted in Broadway, and
Charles Heath, in Cherry Street, & H. Greenough,
& others, in Sewall place. Referred to the Com-
mittee on Lamps.

Primary School
Dist. No. 6—

Petition of the primary
school committee district No. 6, for a new school
room. Referred to the committee on public buildings.

Capon,
Mayhew School.

Petition of Aaron D. Capon,
for the use of the writing room of the Mayhew school,
for an evening school for indigent boys. Referred
to the committee on public buildings.

Shipley
New School House.

Order of the Common Coun-
cil committing the petition of S. G. Shipley &
others, that a new school house be built in Ward
No. 3, to the committee on public Education, with
such as the Board of Aldermen might join,
to consider & report. Came up for concurrence.
Read & concurred. And the committee on public

buildings is joined, on the part of this board. 37.

Petition of Henry Codr. Codman
School Street.
man: for an abatement of an assessment upon
him for a common sewer in School Street. Referred
to the Committee on drains & sewers.

Petition of Joseph Teazie, Teazie
that a Certificate may be made & placed on
record, that he has a right to close the windows
of the Engine House which overlooks his estate on
Salem Street. Referred to the Committee on the
fire department.

Resolved. That the safety Commercial
Street.
& convenience of the Inhabitants requires that
Commercial Street be widened at & near its junction
with Prince Street, & the same is hereby wic-
ened by taking a piece of land from the estate
owned by R. G. Shaw, & the land so taken is
hereby made a part of a public street or high-
way as follows, viz: Beginning on the dividing line
between the land & wharf belonging to the City of
Boston & the land & wharf belonging to R. G. Shaw,
sq. at the distance of forty feet from the westerly
corner of a brick house formerly of Edward West
now of John, from thence to run Southwest-
erly by a straight line one hundred and ninety
five feet to a point on Prince Street. forty two

38. feet four inches distant from the corner post of the fence now standing on the southeasterly side of Commercial Street, & the northeasterly side of Prince Street, then running southeasterly by Prince Street, eight feet two inches, then running northeasterly one hundred & ninety seven feet three inches by the present line of said Commercial Street; then running northwesterly one foot to the place of beginning taking from land belonging to said W. G. Shaw 861 square feet as marked on a plan taken by S. P. Fuller Esq. dated July 11th 1826.

Russell.

The Committee on the petition, of C. P. Russell, to be restored as a member of Engine Company No. 13. reported, as follows. viz. That in their opinion it is inexpedient that the petitioner should continue a member of the company. He has failed, to show to the committee that he has been as prompt in the performance of his duty as is requisite for the safety of the City, & the reputation of the Department. They therefore recommend that he have leave to withdraw. For the Committee. Saml. A. Eliot.

— Read & Accepted.

Common Council.

The Superintendent of Common sewers, made reports of the costs of constructing, & the disbursements upon the several

individuals interested in the following common sew 37
ers. Southack Street, from Grove Street to Southack Court,
Charles Street, and in the rear of Charles Street and
Pinckney Streets. Read & accepted & thereupon orde-
red, that said Superintendent make out the sev-
eral bills & lodge them with the Treasurer for col-
lection.

The Surveyor General ^{James H. C.}
of Lumber made his annual return of all the Lum-
ber, which has been surveyed by the deputy surveyors,
during the past year. Read & filed. ^{Surveyor General.}

Henry Taylor was, ^{constable}
nominated & appointed a Constable. ^{appointed.}

Quarterly reports of the ^{Quarterly reports}
Superintendent of Public Lands. Also of the ^{Sup. public lands}
City Clerk. Superintendent of Burial grounds, ^{burial grounds}
& Hay Weigher of the Northern scales. of the mon-
ies received by them respectively & paid to the Treas-
urer. Read & sent down. ^{&c.}

Applications of Sun- Licenses
dry persons to be licensed as Victuallers, and
an Innholder. Referred to the Com-
mittee on Licenses.

Water.

The Committee on Water made a report, which was read, & laid upon the table, & ordered to be printed for the use of the members of the City Council.

Wood & Bark
Lands for sale of.

Ordered, that the following places be assigned as the stands, for the sale of wood & bark, brought into the City, from the Country for sale; vizt. Tremont Street in front of the Granary Bural ground; & Merrimac Street, near the Wayscales.

Adjourned to 12 O'Clock
to morrow noon.

At a meeting of the Board of Aldermen, of the City of Boston, held at City Hall on Tuesday, the sixth day of February, A. 1838.

Met according to adjournment.

Votes
City Charter.

The Board proceeded to examine the returns of the votes from the several wards, given in yesterday on the proposed amendments to the City Charter, submitted by the City Council, to the Citizens. By the returns as recorded in the book kept for that purpose, it appears that all the

proposed amendments were rejected.

141.

Ordered, that the Petition, ^{of} ^{West} ^{order} ^{of} H. G. Otis, & others, respecting West Cedar Street, be taken from the files of last year & referred to the Committee on streets.

Adjourned to Monday
next, 4 O'clock P.M.

A meeting of the board
of Aldermen of the City of Boston, held at City
Hall, on Monday, the twelfth day of February,
A.D. 1838.

Present. - - -

The Mayor, & the whole board of Aldermen, except
Alderman Richardson.

Agreeably to a signment ^{Scamler}
the board proceeded by ballot to the choice of ^{Surveyor General} ^{chosen}
Surveyor General of Cumber, & the votes
being taken, it appeared, that George W. Otis
was unanimously chosen.

Scamler for concurred
Came up concurred

420.
Water.

The report made by the standing committee on the introduction of pure & soft water into the City, was taken up, read, accepted & the several resolves & order passed, as follows, viz: The Standing Committee on the introduction of pure & soft water into the City, having carefully deliberated upon the various important subjects which have been referred to them, ask leave respectfully to present the following Report.

They believe the time has arrived when a decision can be made by the City Council upon the great question which has so long interested the public, with a full understanding of all the circumstances necessary for forming a judicious determination. The various reports which have been made on the subject, & especially the last able & comprehensive one by the three Commissioners appointed by the City Council of 1837, convey the most valuable information upon the quality and quantity of water to be obtained from various sources, & the probable expense of its introduction into the City, & distribution to the Inhabitants. These in addition to the facts in relation to the ownership of the water, & the mill privileges connected with it, are sufficient to enable the Council to act promptly yet wisely; at least it seems probable to the Comtee that few, if any important facts can be expected to be developed by longer delay. There is a preliminary question, however, which

must be decided on other considerations, & on which, 43.
notwithstanding some diversity of opinion both in
the Committee & out of it, the majority entertain
decidedly the views which they believe are also
held by the majority of their fellow citizens abroad.
The question is whether it is expedient for the City
to undertake the work, or to entrust the execution
of it, to a private company, with the privileges
of purchasing their rights whenever it should be
deemed expedient. On this point the Committee en-
tertain no doubt that it is best for the City to exe-
cute the work by its own agents, & to have the control
& superintendence of it from its commencement to
its completion. They believe that it is too important
a business to be suffered to be affected by the cal-
culation of private interest, which it is certainly
possible might be injurious to the permanent char-
acter of a work which ought to be begun with
reference to the future wants of a great & grow-
ing City. If in order to prevent this evil, it
should be stipulated that the work should be
done to the satisfaction of agents appointed
by the City, there would be another danger, viz.
of collision between different interests, & of delay
in the prosecution of the business which, if un-
dertaken, ought to be completed as speedily as
is consistent with the durability of a structure
designed for the benefit of posterity as well as our-
selves. Another reason why the City should under-

114. Take it, independently of all private interests, is that the expense of the operation to the community would be less should the City have the privilege of purchasing, if they should find it advisable, it would probably be in the usual condition annexed to such privileges, of paying ten per centum per annum on the investment. But if the City perform the work, they can without question, obtain the money at five per centum per annum, & thus, if at the end of ten years the City should purchase the works, it would be at a loss of five per cent. for ten years on the cost, which whether paid by the one corporation or the other, would probably not fall far short of a million & a half of dollars. In ten years, therefore the work may cost the City \$750,000 more, if performed by a private corporation than if done by itself. If it should prove possible to accomplish it for less money, still the argument is valid in proportion to the amount actually expended. But it may be contended that it may never be necessary to purchase the rights of the corporation. In that case the citizens would be always liable to a higher rate of taxation than the City would charge, as it is not to be supposed that a private corporation would supply the necessary quantity at as liberal a rate as the City, who can have no other interest than to provide the water at as low a charge as will cover the necessary expenses. If then it be thought expedient for the City to execute the

work. The next question which arises is, from what 45.
source the water shall be taken, & on this subject
also the Committee have formed an opinion, after
much examination & deliberation. They agree with
the majority of the Board of Commissioners, that
the best & most sure source of supply will be found
in the combination of Spot & Mystic Ponds, and
in addition to the considerations so ably urged
by them, the Committee will suggest the follo-
wing. The extent of Long Pond is stated to be
six hundred acres, while that of Spot & Mystic,
& the other ponds which empty into the latter, to-
gether with the additional basins which may
be created by a proper disposition of dams, will
exceed that amount by nearly 200 acres. The pres-
ent extent of Spot Pond is 283 acres. To this may
be added an artificial basin of 60 acres. Mys-
tic Pond covers 228 acres, & by raising a dam at
its outlet, of three or four feet, (which will be
necessary to exclude the tides) an extent of low
lands will probably be overflowed amounting to
about 100 acres. Horn & Hedge Ponds, which empty
into Mystic Pond, may therefore be considered
as an additional basin over 123 acres, mak-
ing a total of 794 acres.

Another reason which induces the commit-
tee to prefer Spot Pond to Long Pond, as a
principal source of supply, is that it is 14 feet
higher above tide water, & ten miles nearer to

146. The centre of the City. Long Pond is 123½ feet above high tide, & 15 miles distant. Short Pond is 143 feet above tide & 8 miles from City Hall. From Long Pond to Corcoran's Hill, on which the reservoir is to be placed, is something more than 15½ miles; & as the aqueduct to bring the water must be of brick or stone, it is necessary that it should go on a gentle descent all the way. This will render the height of the reservoir above high water less by several feet than that of the pond, & though the difference between the height of that reservoir & the one on Beacon Hill may be sufficient to overcome the friction of the water in the pipes, & raise it to the requisite height, yet the advantage of having 20 feet greater head is not inconsiderable. The security of a brick or stone conduit, also, which must be carried for some distance over fresh embankments, & which may be liable to the percolation of surface water, cannot be regarded as equal to that of iron pipes, which may follow the general direction of the natural surface of the territory over which they pass.

Another consideration, which was of great weight with the Committee was that the amount of damage which would be done to the water rights in the outlets of Short & Mystic Ponds, in which would arise from storage, would be easily susceptible of estimate by impartial

persons, & might therefore fairly be expected to be 47% mutually agreed upon between the City & the proprietors, while the amount of damage done to the various mills situated on the outlet of Long Pond, & on Concord river, which is in great measure supplied from the pond, & to the Middlesex Canal which draws much of its supply from the same source, it would be very difficult, if not impossible, to determine; & we should have reason to apprehend, therefore, that we were entailing on our posterity a long series of harassing lawsuits, together with the water ^{with} which we furnished them.

The Committee cannot think that the sum of \$10,000, which the Commissioners have named as the probable amount of damage from this source, would cover all that might be expected to arise from it, nor do they believe that it will be possible to make any thing more than an approximation to the sum that might be required.

There is an advantage, which will not escape the City Council, in deriving a supply from two sources, neither of which is indispensable, over drawing from one alone in the latter case, the City is placed more at the mercy of the proprietors, & those who suffer damage from an occasional drought is greater. The difference in the

48. distance from Long Pond, & from Spot Pond to the City, occasions a difference, not merely in the cost of construction, which is exhibited by the Commissioners, but in the liability to accidents, which in a Fanning of such vital importance as the supply of a necessary of life to a large City, is a consideration of no trifling importance. The distance from Spot Pond being only one half of that from Long Pond, the danger of any interruption to the supply from accidental causes is diminished in an equal ratio. A great obligation in the minds of many persons, to taking any portion of the supply from Mystic Pond, is the necessity of pumping it into a reservoir, steam pump. They think, must be resorted to, & the expense & liability to accident from this cause are so great as to be considered an insurmountable obligation. Allowing its full weight to this consideration the Committee are still of opinion that it is entirely a question of expense, as the security can be made ample, & it must therefore be compared with the expense of other operations by which the City may be supplied. It should not be omitted, also, that the use of iron pipes, if the supply be taken from Spot & Mystic Ponds, prevents the danger of the water being impregnated with the lime, which is a component part of the hydraulic cement in which the aqueduct must be laid, from Long Pond to Corey's Well. The

danger is not trifling that the water would be 49.
seriously injured from that cause for many years.
Having thus stated their views as to the two pe-
riods of the mode in which the work should be
done, & the source of supply the Committee come
to the question of the time at which it should be
began, but as they have not been called upon to
give particular attention to this subject, they
cannot pretend to have formed any more valuable
opinion upon it than other members of the City
Government. They believe that the financial
embarrassments, which will occur to every mind
as a plausible objection to an immediate be-
ginning, are nothing more than temporary
evils, & they perceive no better means of allevi-
ating the distresses of those who depend upon
labour for support, than by furnishing them
with employment. The interest of the amount
spent by the City on this, or any other valuable
improvements will be no intolerable addition
to our burdens, while the good done by the mon-
ey can scarcely ever be greater than at the
present time, & the economy which may be
now practised in the expenditure is not likely
to be exceeded at any future period. At the same
time, the want of the supply of water is strongly
felt, & will not fail to increase in urgency. The
Committee cannot but express the hope there-
fore, that our apprehensions arising from the

50. temporary troubles of the times will prevent the Council from beginning a work of such incalculable advantage to the City through all time. Application must be made to the Legislature for the power requisite to enable the City to perform the operation, as is stated in the subjoined reply of the City Solicitor to a question on this point proposed by the Council; & the Committee have great pleasure in stating that no obstacle will be opposed by the Hydraulic Company, incorporated in 1836. to any such application by the City, but on the contrary, every facility will be given by that corporation in furtherance of the wishes of the City Council. In conformity with the views here expressed, The Committee ask leave to submit the following resolves and order. For the Committee, Saml. A. Eliot.

Resolved, That it is expedient for the City to begin & complete the necessary works for the introduction of a supply of pure water.

Resolved, That it is expedient to draw the supply from Spot & Mystic Ponds, in the manner recommended by the majority of the Commissioners.

Resolved, That it is expedient to begin the work as soon as the necessary power can be obtained from the Legislature.

Ordered,

Ordered, That the Standing Committee on the introduction of water be instructed to make immediate application to the Legislature for the grant of such powers to the City as may be necessary for the introduction of a sufficient supply of water.

On the passage of the above resolves, the yeas & nays on each being taken separately—

On the first resolve, Yeas. The Mayor, Aldermen Tarnam, Gurney, Wayward, Mounting & Brimmer, 6. Nays. Aldermen Wetmore & Harris.

On the second resolve, Yeas. The Mayor, Aldermen Tarnam, Wetmore, Gurney, Wayward, Mounting & Brimmer, 7. Nays. Alderman Harris—1. —

On the third resolve, & the order, the yeas & nays were the same as on the second resolves, Yeas. 7.

Nays— one.

Sent down for concurrence.

The Superintendent of Common Sewers the costs of constructing the same. A bequest upon the several persons benefitting thereby of the following Common Sewers vizt. Manure, between Portland & Union Streets Washington Street near Boylston Market. Washington between Bromfield & Summer Streets. Bromfield Street and two in South Marguin Street. Read & passed & thereupon

52 ordered that said Superintendent make out the several bills & lodge them with the City Treasurer for collection.

H. of Correction
Report

The Overseers of the House of Correction, account of moneys received at their office & expended by them, for that institution, from the 13th of Nov^r last to February 12, 1838. with the documents accompanying the same. Refers to the Committee on County accounts.

Junk Shops.

Order of the Common Council appointing Messrs. Thompson, Austin & Yeaton, with such as the Board of Aldermen might join, a committee to consider the expediency of a Law requiring all "Junk Shops" so called to be licensed; & also requiring that such regulations & restrictions be imposed upon those shops & the keepers thereof, as will prevent them from affording an inducement to crime or becoming general receptacles of stolen property. Came up for Concurrence. Read & Concurred & the Committee on Licenses was joined.

Her

Order of the Common Council appointing Messrs. Halluck, Chapman, Grant, Eaton & Richardson with such as the Board of Aldermen might join, a Committee to inquire whether the City Council have the power, & if they have the power, whether it be expedient to make an alteration in.

our present system of supporting the poor, so as to unite 53.
the overseers of the poor, & the Directors of the House of
Industry under one board; or to provide for the ap-
pointment of one or more Commissioners, or visitors,
of the poor, or in any other way for altering the exist-
ing mode of supporting the poor, for lessening the
expense of the same, or for preventing the increasing
evils of pauperism. Came up for Concurrence. and
the Committee on the Jail, House of Industry, Cor-
rection & Reformation was joined.

The Joint Committee who Drains &
were directed to consider & report if any modification Common sewers
in the ordinance relative to drains is necessary, report-
ed an Ordinance in addition to an ordinance rel-
ative to sewers & drains, which was read & upon the ques-
tion of passing the same, it was decided in the negative.

Petition of David Pingree Pingree
to have a note of five thousands dollars which he holds
against the City, bearing an interest of four per-
cent, exchanged for one bearing an interest of five
per. cent, or that the City would pay the same. Ref-
erred to the Committee on finance.

Sent down for Concurrence.

Came up. Concurred

The Committee of Com. Public
ference on the rules respecting public buildings & buildings.

54. reported, that he had met the Committee on the part of the Common Council, but they were unable to agree.

Drury

Petition of Leonard H. Drury,

asking leave to build arches under the sidewalk, Exchange Street. Referred to the Committee on paving.

Callender

Petition of J. B. Callender, for

leave to sell coal in the square at the junction of Court, Tremont & Pemberton hill, & that a name be given to said square. Referred to the Committee on streets, & the City Marshal.

Funeral Undertaker

Application of Oren Fox

to be appointed as funeral undertaker. Referred to the Committee on burial grounds.

Worcester School

Petition of the Masters of

the Worcester School for the use of the Ward room in said school. Referred to the Committee on public buildings.

Otis

Memorial of H. G. Otis, con-

cerning sewers & drains. Referred to the Committee on drains &c.

Capron

The Committee on the

May 1st petition of Warren G. Capron, for the use of a room

in the Mayhew School for an evening school for 55
indigent boys. reported as follows, viz. That in their
judgment it is inexpedient to grant the prayer of it, for
the same reason which has influenced them on for-
mer similar occasions, viz. the increased risk of fire,
the evils of which cannot be guarded against by in-
surance. For the Committee, Saml. A. Eliot.
— Read & Accepted.

The Committee on the Primary School
petition of Primary School District No. 6 for a District No. 6
room reported as follows, viz. That they are of opinion
that it is expedient to fit the upper story of the build-
ing for another. They therefore recommend the
passage of the following order. For the Committee
Samuel A. Eliot.

Ordered. That the Com-
mittee on public buildings be authorized to fit
the third story of the Primary School House bel-
onging to the City in South Street Court for
another school & furnish it suitably, provided
the same can be done at an expense not exceed-
ing \$75. — Read & Accepted.

Ordered. That Aldermen Chelsea &
Westmore & Farnham, with such as the Common Council
Council may join, a Committee to consider the
expediency of applying to the Legislature of the
Commonwealth for any alteration in the law

56. regulating the connexion which now subsists between the City of Boston, & the Town of Chelsea. Sent down for concurrence. Came up concurred. and the Common Council joined on its part Messrs. Gordon, Johnson & Ellis.

Shaw. Ordered, That there be paid to W. G. Shaw, Esq. the sum of fifteen hundred & six dollars, & 74^{cts} in full for eight hundred & sixty one feet of land taken from his estate to widen Commercial Street on the western side near the junction with Prince Street; which sum is to be in full for all damages to be paid on the fifth day of March next, on his giving a good & sufficient deed of the same to the City.

Osborn. Ordered. That there be paid to Catharine M. Osborn, the sum of three hundred & ninety four dollars & thirty four cents; and to John Osborn's heirs, the sum of three hundred & fifty one dollars & sixty cents, amounting in all to the sum of \$745.94. in full for one hundred & thirty five feet & 74^{ths} of land taken to widen Washington Street, on the eastern side between Franklin & Summer Street, the same to be paid on the fifth day of March next on their giving a good & sufficient receipt for said land, releasing the City from all damages. Adjourned to Monday next. four O'Clock P.M.

At a meeting of the board 57.
of Aldermen, of the City of Boston, held at City
Hall, on Monday, the nineteenth day of February,
A. 1838.

Present.

The Mayor, and the whole board of Aldermen, except Alderman Richardson.

The Committee to whom, House of
was referred the accounts of the Overseers of the Correction
House of Correction reported, that they examined
the same & find them well vouched & correctly
cast. Read & Accepted.

The Overseers of the Annual Account
House of Correction annual account of the of Overseers of
expenditures & income of that Institution. House of Correction.

Read & sent down

Communication from Brooks.
Edward Brooks, Esq. declining a re-election as
a Director of the House of Reformation. Ref-
erred to the Committee on the Jail, & Houses
of Industry, Reformation, & Correction, to
consider & report, what number of Direc-
tors it is expedient to elect, for that insti-
tution.

Jabez Hatch & Thomas Auctioneers.

58. H. Rich Licensed as Auctioneers, and their bonds approved.

Foster
Common Sewers
Petition of William Foster & others, That some alteration may be made in the ordinance relating to common sewers. Referred to the Committee on drains & sewers, with such as the Common Council may join to consider & report. Sent down for concurrence. Came up concurred, & the Common Council joined on its part, Messrs. Austin, Raymond & Hammond.

Callender
The Committee to whom was referred the petition of J. B. Callender, for permission to use the square at the head of Cornhill, in front of Scollays buildings occasionally for the sale of Coal &c. at auction & that said square be named, reported the following orders.

Pemberton
Square
Ordered, That the Square at the head of Cornhill Street contiguous to Court & Tremont Streets be named Pemberton's Square & that no merchandise be allowed to be sold by auction on the same.

Ordered, That the Committee on Laying out & widening Streets be requested to put up a sign on the end of Scollays's Buildings so called with the name

of Pemberton's Square painted thereon. 59.
Read & Accepted.

Petition of Joseph Dixon, Clerk
to be licensed for the purpose of exhibiting Optical
illusions, tableaux &c. at Julius Hall. Referred
to the Committee on Licenses.

The Superintendent of Common
Common Sewers reported the costs of constructing Sewers,
& the assessments made, upon those whose estates
were benefitted thereby, of the following sewers, vizt.
Pitts. Traverser. May. School. Clark. Moon,
Garden, Court & Fleet streets. Read. accept-
ed & thereupon ordered, that said Superin-
tendent make out the several bills & lodge
them with the City Treasurer for collection.

The Committee on Sewers Bygdston Street,
to whom was referred the cost of constructing Common Sewer,
& the assessment as made by the Superintendent
of Common sewers in Bygdston Street,
reported, that said assessment is correct. Read,
accepted, & thereupon ordered that said Super-
intendent make out the several bills and
lodge them with the Treasurer for collection.

The Committee on drains, Lincolls Lane
& sewers, reported, that the cost of constructing Common Sewer

60 The sewer in Lincoln Street be assessed on James C. Dunn, read & accepted, & thereupon ordered, that the superintendent of Common sewers, make out the bill & lodge it with the Treasurer for collection.

Wood Measurers

Returns

Jacob Herrick wood meas-
ures returned that he measured the last year 287
loads of wood. - Read & filed.

Samuel

Petition of Emanuel Sam-
uel & others, for a license for the "Freedonian The-
atre, in Hawley Street. Referred to the Committee
on Licenses.

Field

Castle Street

Petition of Pearson W.
Field, & others, to be relieved from the assessment
made upon them for constructing a common
sewer from Washington Street to Fremont Street,
through Castle Street. Referred to the Committee
on drains & sewers.

General

Undertakers

Ernest Saxon, licensed as
a funeral Undertaker.

Pomeroy

Memorial of Hannah Pom-
eroy, respecting an assessment on her, for a common
sewer in Castle Street. Referred to the City Sol-
icitors.

Petition of the Essex St.

Street Congregational Society, to be paid for Essex Street
land taken into Ware Street. Reference to the Congregational
Committee on Streets. Society.

Petition of Stewards; Engines.

of Engines for additional pay. Reference to the Stewards
Committee in fire department.

The Auditor of accounts Auditors

report of money received the quarter ending 31st return
ultimo. Read & sent down.

The Committee on the Hancock School

Petition of the Masters of the Hancock School
for the use of the Ward Room reported, as follows;
viz They believe that the use of the ward room as
prayed for in the within petition is necessary &
proper, & therefore report that the masters of the
Hancock School have leave to use said ward
room till further order of this board. For the
Committee. Saml. A. Eliot. Read & accept-
ed.

The Committee on the Ward

memorial of Artemas Ward, to be relieved from Crop Street
the assessment made upon him for the common
sewers in Crop Street, reported, that the prayer
of the petitioner ought to be granted, & that he be
released from payment of any assessment for the

12. Constructing of the Common sewer in Crop Street.
Read & Accepted.

Codman.

The Committee on the
Petition of Henry Codman, for an abatement
of an assessment for a drain in Baylestone Street,
reported as follows, viz. That the prayer of the
above petition ought to be granted & that the
assessment referred to ought to be revised & the
expense of constructing the sewer before mention-
ed be apportioned between said Codman and
Charles Harding & David S. Greenough Esq-
uires, one third part thereof on said Codman
Shorliffmore for Committee. Read & Accepted.

Syford.

The Committee on the
Petition of E. W. Syford & others, respecting an
assessment on them for a common sewer in Cham-
ber Street, reported as follows, viz. That the facts
stated in the foregoing memorials are true & that
the assessment of the expense of the Sewer in Cham-
ber Street, as made by the Superintendent, ought
to be revised & the memorialists be released from
the payment of any part of said expense. Shorliffmore
for Committee. Read & Accepted.

Gray &
Brigham.

The Committee on the
Petition of Frederick J. Gray & Benajah Brig-
ham to be relieved from the payment of a ss-

ements made upon them for the costs of a common
men served in Elm Street, reported, that the peti-
tioners have leave to withdraw their petition.
— Read & Accepted.

At a Special meet-
ing of the Board of Aldermen of the City of
Boston, held at City Hall, on Thursday,
the twenty second day of February, A.D. 1838.
Present

The Mayor, Aldermen Tarnam, Wet-
more, Waynard & Harris.

Petition of Phil E. Shelton,
Shelton, & others, for the use of Faneuil Hall, Faneuil Hall,
on Friday evening 23^d instant for the purposes
of holding a public meeting, to take into con-
sideration the best mode of relief, in the money
market. — Read & Granted.

Adjourned to Monday
next, 4 O'Clock P.M.

At a meeting of the Board of Aldermen, of the City of Boston, held at City Hall, on Monday the twenty sixth day of February, A. 1833.

Present.

The Mayor, and the whole Board of Aldermen.

Dixon
Tableaux &c.

The Committee on the petition of Joseph Dixon, for a license to exhibit at Fusion Hall optical Spectacle of Corruscations & tableaux, for one week or more, reported, that such license be granted.

Read & Accepted.

Samuels

The Committee on the petition of Emanuel Samuels & others, for a license for the Fredonian Theatre so called in Maulay Street, reported, that the petitioners have leave to withdraw their petition.

Read & Accepted

Police.

The joint Committee on the subject of the Police of the City, reported as follows, viz. There are many of the City ordinances enacted for the safety, convenience and comfort of the Inhabitants, which under existing circumstances are & must be very imperfectly executed. It is impossible to bring all offenders against the

Law to their proper punishment, in a City of 65.
such extent, except by the employment of a
sufficient number of persons whose duty it shall
be, to prevent such infractions of the ordinances,
or cause the offenders to be brought to justice. It
is now assigned to the City Marshal & he is attend-
ed the aid of two deputies, one of whom must be
constantly in the office to receive the complaints,
which every hour brings forth, so that there are
two officers only who can attend to the out of door
duty, such as preventing the side walks from be-
ing encumbered, smoking in the streets, & other
offences which are prohibited by the ordinances.
It is manifest to any one who has experienced
the difficulty of enforcing these laws, that two
officers are not sufficient to perform this duty
thoroughly, & if their number were doubled, the
comfort & convenience of the citizens would
be greatly promoted. The expense of appointments
of this kind, however, would be likely to prevent
their being made, & the constant employment
of Constables in this duty would amount, in the
course of the year to a sum, nearly, or quite equal
to the salary of a deputy Marshal. If however, the
officer, than constables, or constables with police
powers only could be employed occasionally, when
wanted, a considerable portion of the expense
might be saved, & the laws be properly enforced.
The Mayor & Aldermen have power

bb. to appoint constables. but under present laws there can be no limitation of their power to police duty merely. They must have all the powers & duties of constables, & attend the courts, serve writs &c. when called on so to do. It is the opinion of the Committee that it would be expedient to have a class of officers, to be appointed at the discretion of the Mayor & Aldermen, who should have this police duty specifically assigned to them, & who might be called upon by the City Marshal whenever necessary to carry into effect any law or ordinance, & they have directed me to propose an order for applying to the Legislature for the power to appoint such officers, from time to time as they may be required by the wants & extent of the City. The order is herewith submitted. For the Committee Saml. A. Eliot.

Ordered. That the Mayor be instructed to apply in the name of the City Government to the Legislature for an act authorizing the Mayor & Aldermen to appoint police officers, in the same manner as they are now empowered to appoint constables, so far as relates to the execution of laws & ordinances as a matter of police, under direction of the City Marshal & in others. Read and Accepted. Sent down for concurrence. Came up concurred.

The Committee on fin- 17.
ance to whom was referred the petition of David, Pingree
Pingree, for the exchange of a City note, report-
ed as follows, viz. That they find the note held
by Mr. Pingree is payable at the pleasure
of the City, that it was received by him with a full
understanding of the terms on which it was to be
held, & they can see no ground on which the City
would be justified in paying a higher rate of
interest than they promised to do, & no claim which
the holders of the note can have to a higher rate
of interest than he agrees to accept "during the
pleasure of the City". They recommend there-
fore that he have leave to withdraw. For
the Committee Sum. A. Eliot. Read and
Accepted. Came up for Concurrence.
Read & Concurred.

Resolves & order of the Charlestown
Legislature respecting Charles River Bridge, 12rid,
a copy of which was served on the Mayor, by
the Sergeant at Arms, Read & Reference to Ald-
ermen Farnam, Wetmore & Maynard, with
such as the Common Council may join, to
consider & report. Sent down for concu-
rence. Came up Concurred, & the Common
Council joined on its part. Messrs William, Chap-
man, Rice, Vose & Moulton.

68.

Petition of John Danc,
Danc. & others, a Committee of Sabbath School Union, for
Sabbath School the use of a room in the Winthrop School House, for
Union a Sunday School. Referred to the Committee on Pub-
lic Buildings

Rice

Petition of Henry Rice,
for Thomas Cole for damage which he paid, to
one of his tenants in consequence of reducing the
size of his store by the widening of Washington
Street. Referred to the Committee on Streets

Weatherbee

Petition of Elijah J. Wea-
Summer St. therbee to be paid for land taken to widen Sum-
mer Street, in the year 1833. Referred to the Com-
mittee on Streets.

Woodfern

Petition of Billings Briggs,
May St. Guardian of the minor heirs of William Woodfern,
to have the apportionment made on said heirs for their
proportion of making a Common Sewer in May
Street abated. Referred to the Committee on Drains
& sewers.

Boylston Market

Petition of the Boylston
Association Market Association for the abatement of its pro-
portion of making Common Sewer in Boylston
Street. Referred to the Committee on Drains & sewers.

Ordered, That the City 69.
Treasurer be & he is hereby authorized to receive School fund
from the State Treasury, this City's proportion
of the school fund.

Andrew Schaffer Licensed Auctioneer
as an Auctioneer & his bond approved.

Harold Case nominated, Captain of Watch
& appointed Captain of the Watch & Superintendent of Samps.
Superintendent of Samps.

The following Sur- Wood
veyors & Measurers of wood & bark, for Fuel Measurers,
brought into the City by water, were appointed
on the part of this board, vizt.

Jonathan Thaxter District No. 1

Warren Barker " " 2

Daniel A. Rogers " " 3

John Paul " " 4

Sent down for Concurrence

Came up Concurred

The following measurers Wood
of wood & bark brought into the City in Carts, Wag Measurers,
gons & sleds, were nominated & appointed vizt.
John R. Bradford, William Shattuck, James
Wilson, William Fiske, Jacob Herrick and
John Paul.

70.

The board proceeded to call
North Free Bridge lot to the choice of the Superintendent of the North
Superintendent of Free Bridge to South Boston, & the votes being taken,
it appeared that Samuel Jenkins was chosen.
Sent down for concurrence
Came up Concurred.

Smith,

Petition of C. S. Smith
& Susan B. Barker to be relieved from the payment
of assessments made upon them for common sewer
in Sister Street. Referred to the Committee on
Drains & sewers.

Common
Sewers.

The Superintendent of Com-
mon Sewers reported the costs of constructing
the following Common Sewers & the assessments
upon those whose estates were benefitted there-
by vizt. Brighton, Orange, Buttolph, Lynn,
& Charter Streets & Lime alley. Read & passed,
& thereupon ordered, That said Superinten-
dent make out the several bills & lodge them
with the City Treasurer for collection.

Sewer.

Ordered, That there
be paid to Samuel J. Lewis, on the fifth day
of March next, the sum of Eight Thousand dollars,
in full for 2098 feet of land taken from his
estate near Ann Street, to extend Fulton Street.
said Lewis is to remove all the buildings and

fences, from within the lines of said street, or permit the City to do it; & sell the materials, to pay the expense thereof, to give a good & sufficient deed of the same & release the City from all damage for said Land taken, & the passage ways adjoining the same.

Ordered, That there be Carver paid to Reuben Carver, on the fifth day of March next, the sum of one Hundred & twenty five dollars, in full, for reducing his building at the corner of Commercial & Prince Streets 165 feet, to widen Commercial Street, on his giving a receipt for the same & releasing the City from all further damage.

Ordered, That there be Gardner paid to Doctor Henry Gardner, on the fifth day of March next, the sum of two thousand dollars, in full for 4308 feet of Land taken from his estate near Ann street to extend Fulton street, on his giving a good & sufficient deed of the same, & releasing the City from all damage for said Land. The building thereon & passage way adjoining the same.

Adjourned to Monday next, four O'Clock P.M.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday, the fifth day of March, A. D. 1838.

Present

The Mayor, and the whole Board of Aldermen.

Communications were received from Messrs John Wayner, John L. Dimmock, George B. Emerson, Saml Crane, and Edward Brooks, declining a re-election as Directors of the House of Reformation.

Ordered, That the number of Directors of said Institution be five.

Agreeably to a signment The Board proceeded by ballot to the choice of five Directors of the House of Reformation, & the votes being taken it appeared that Messrs Henry J. Baker, John D. Fisher, Zachariah Jellison, James C. Wild & Samuel G. Moore were chosen. Sent down for Concurrence.

The Board proceeded by ballot to the choice of Superintendent of Boston South Bridge. & the votes being taken it appeared that Royal Oliver was chosen. Sent down for Concurrence. Came up Concurred.

Moses Hadley was nominated 73
& appointed Wood Measure. Woodmeasure

The Superintendent of Common
man sewers reported the costs of constructing & the assessments sewers
of the following Common sewers, viz. Greenhouse. Pearl Broad.
Battery March. & Eliot Street. Read & passed, & there-
upon ordered, that said Superintendent make out
the several bills & lodge them with the Treasurer for
collection.

The Committee on the petition Boylston Market
of the Boylston Market Association for an abatement. Application
of the assessment upon them for a common sewer. Boy-
lston Street reported, as follows, viz. That the prayer of
the foregoing petition ought to be granted & that the as-
sessment for the Common sewer in Boylston Street and
part of Washington Street referred to ought to be revised
& the petitioners released from the payment of any part of
the expense thereof. For the Committee Thos. Wetmore.
Read & Accepted.

Petition of Elias Kidder, Kidder.
I have an assessment made upon him for a common sewer Brighton Street
in Brighton Street abated. Referred to the Commit-
tee on drains & sewers.

Petition of Simon G. Child, Child.
viz. & others, to have assessments made upon them for a Pitt Street,
common sewer in Pitts Street abated. Referred to

74. the Committee on drains & sewers.

Gray.

Petition of Frederick J. Gray

Elm Street. & Benajah Brigham that they may relinquish to the City, all their right in the Common Sewer from Brattle Square to Elm Street, reserving a right for said Brigham to enter his drain. Referred to the Committee on drains &c.

Wards.

Ordered, that Aldermen Farn-

nam, Surney & Huntington, with such as the Common Council shall join, be a committee to consider & report on the expediency of making a new division of the City into twelve wards. Put down for concurrence. Came up concurred, & the Common Council joined on its part. Messrs Gordon, Gopelyn, Curtis, Morris & Bullard.

Dane.

The Committee on the pet-

ition of John Dane, & others. Sabbath School Union, for the use of room in the Winthrop School House, for a Sunday School, reported, that as the school is under the charge of the Usher of the Winthrop School, & the room to be used in the day time only, there is, in their opinion, no objection to granting the prayer of said petition. — Read & Accepted.

Order of Appointment

The Committee on Laying

out & widening streets, recommending the passage of the accompanying order which is respectfully submitted. For the Committee Henry Farnam.

Ordered, that notice be, & here 75.
by is given to all persons interested to appear before
this Board, on Tuesday the thirteenth day of March
inst. at ten O'Clock A. M. to show cause, if any they
have, why the way lying next southerly of the estates
of Amasa Stetson, Rufus Thayer's heirs, Pitt's heirs, &
C. and Greenleaf, which are situated between Ann
street & North Market Street, & westerly of Nath-
aniel Tabor's land, should not be discontinued.

Petition of George Jackson.
Jackson to have Concord street graded & gravelled Concord Street.
led. Referred to the Committee on paving.

The following persons Watchmen.
were nominated & appointed. Watchmen. viz. Jud-
son Harding, Symon Haskins, & Elisha J. Herrick.

The Committee on the Snelling.
fire department, to whom was referred the petition
of E. W. Snelling & others for an increase of the
pay of the Stewards of their several Engine
Companies, reported, as follows, viz. That in their
opinion the prayer of said petition ought to be
granted. The duties of the Stewards are very impor-
tant & the experience of the last six months has
shown that it is not always practicable to secure
the services of a faithful & responsible man for
the compensation which has been assigned to them.

26. The Companies have in many instances augmented the compensation of the Steward at their own charge. The Committee on the Fire Department cannot think this course just or proper, & would therefore recommend the allowance of such compensation as may ensure the services of competent persons. They believe that such persons can be obtained for \$100. per annum, & they therefore suggest the passage of the following order: For the Committee Saml. C. S. Eliot.

Ordered, That from & after the 1st instant, the compensation of the Stewards of the Engine Companies of the Fire Department be at the rate of \$100. per annum.

Read & Accepted.

Foster.

Petition of Thomas

P. Foster, & others, offering to take charge of the City Hare. Referred to the Committee on the fire department.

Sargent

Memorandum

The Committee on the petition of Henry Sargent to be paid for time taken to widen Washington Street reported as follows viz. The Committee on laying out & widening streets recommend the passage of the accompanying order which is respectfully submitted. For the Committee. Henry Turnam.

Ordered, That there be paid

to Henry Sargent the sum of \$701.58 in full for 11
m⁴ 1/4 feet of Land taken from his estate between
Franklin & Summer Streets to widen Washington Street
on his giving a good & sufficient deed of the same
& releasing the City from all damage. Read,
Accepted & the order passed.

Petition of the prima Primary School
by School Committee of District No. 6. That an appro. District No. 6
provision may be made them for the purchase of
Land, wherein to erect a school house in Pleasant
Street. Referred to the Committee on public build-
ings.

The Committee on the Teazie
fire department to whom was referred the petition
of Joseph Teazie, reported as follows, viz. That the
ruinors of Engine House No. 3 on Salem Street
looking into a small court were placed there by
permission of Joseph Teazie, the owner of said
Court; that the City has no right therein & they
recommend that this report be recorded in the
City records to prevent any right hereafter accru-
ing to the City in consequence of said permission.
— Read & Accepted.

The Committee on Charitable
the fire department on the subject of the funds
of the Charitable Association of the fire depart-
ment, reported as follows, viz. The Committee funds.

78. on the Fire Department ask leave to call the attention of the Council to the circumstances which have come to their knowledge respecting the funds of the Charitable Association of the Fire Department. The Trustees of that fund have applied to the Legislature for leave to invest it for several years, in such manner that the income of it would not be available for the benefit of any new members of the present department who might stand in need of it. This was considered by the acting members of the Fire Department as a perversion of that fund from the objects intended by the donors; & they have consequently presented a counter petition to the Legislature. In this they have been supported by many of the contributors to the fund, who have signed a paper similar to the enclosed, & as the City has at various times, contributed to it, to the amount of \$3,700. The Committee have thought it would be proper that the City should express its views in relation to the subject. They therefore propose the passage of the following order. For the Committee. Saml. A. Eliot.

Ordered: That the Mayor be instructed to sign, in behalf of the City, a petition to the Legislature in aid of the petition of the present members of the Fire Department in relation to the funds of the Charitable Association of the Boston Fire Department. Read & Accepted & the order passed. Put down for concurrence. Came up Concurred. Adjourned to Monday next 4 o'clock. P.M.

At a meeting of the Board 79
of Aldermen of the City of Boston, held at City Hall,
on Monday, the twelfth day of March A.D. 1835.

Present:

The Mayor, & the whole board of Aldermen, except
Alderman Brimmer.

Order of the Common Council Fernald
committing the petition of Samuel Fernald, & others, to Buttrick Street,
to be relieved from the payment of an assessment made up-
on them for a common sewer in Buttrick Street, to the
Committee who have under consideration the subject of
drains & sewers.

Came up for concurrence.

Read & Concurred.

The following petitions to be Common sewers
relieved from the payment of assessments for the common sewer
sewer following vizt: Samuel Fales, Devonshire
Street. Henry Codman, Devonshire Street. David
C. Mosely, Brattle Street. Pres. Spring, & others,
Brighton Street. Nathl. Grover, Purchase Street and
Liverpool Wharf Corporation. That the common
sewer may be removed to Park Street, instead of
its present location thro' their premises. Referred to
the Committee on drains & sewers.

Petition of David Coolidge
Coolidge, & others, contractors for the employing of sewers, &c. &c. &c.
That some alterations may be made in the regulations.

80. & price. Referred to the Committee on Internal Affairs.

Auditor's report.

The Auditor of accounts
Expenditures made his annual report of estimates of expenditures,
ways & means & ways & means for the next financial year. Referred
to the Mayor, Aldermen Farnam, Wetmore & Gur-
ney with such as the Common Council may join
to consider & report. Sent down for concurrence
Came up Concurred; and the Common Council
joined on its part the Committee of Finance.

Charles River

Bridge &c.

The joint Committee to whom
was referred a printed copy of the report of the
Committee of the State Legislature on Charles
River Bridge. Reported as follows, viz. That said
report states that there has been gathered from the tolls of
Warren Bridge a sum of money which now amounts to
\$36.607.31. That \$25.000 of said sum is proposed to be
given to the proprietors of Charles River Bridge, the
appraised value of the same, and the balance say
\$11.607.31 to be offered to the City of Boston & the town
of Charlestown, provided they will sustain both bridges
as free public avenues, & after such offer shall have
been made that the Commonwealth take no further
charge of either of those bridges. Said report further
states "The necessity of two avenues between Boston
& Charlestown was most conclusively shown to the
Committee by the statements of the present com-
missioners of Warren Bridge." Thus it appears

That the Commonwealth has resolved to take no \$1.
further charge of these two Bridges, and that
although they declare that these two avenues
are absolutely necessary to accommodate the public
travel of the Commonwealth, still they will be left
to ruin unless Boston & Charlestown will take charge
of them & keep them in repair. The manifest injustice
to the owners of the franchise of Charles River Bridge.

The City of Boston & the Town of Charlestown by this
transaction is apparent; but it is useless to comment
upon it. The deed is done & the sufferers must submit
to a power that they cannot control. one thing is
evident, it will not answer to let these two important
avenues to the City fall into decay. They are of too
much consequence to Town & Country to permit
that. The Committee therefore have unanimous-
ly voted to recommend the passage of the accom-
panying Resolutions which are respectfully sub-
mitted. Henry Tarnam for the Committee.

Resolved, That the City of
Boston will accede to the proposal of the Represen-
tatives of the Proprietors, & receive from them the one
half of \$11,675.00, & will be at the expense of keeping
the one half of Charles River & Warren bridges in
repair forever. Provided the Town of Charlestown
or the County of Middlesex will be at the expense
of the other half.

Resolved, That the Mayor be
requested to carry the foregoing Resolutions into effect.

In Common Council, Read
 & the following Resolutions adopted
 after having received two readings, in lieu of the
 first Resolve reported by the Committee, and the
 second Resolve also passed

— Whereas, a Report has been
 made to the Legislature of this Commonwealth, by
 a Committee thereof, wherein it is recommended that
 the sum of \$2500 be appropriated from the fund
 now in the Treasury of the Commonwealth, raised
 from the toll, collected at Warren Bridge, for the
 purchase of Charles River Bridge, & that both Bridges,
 with the balance of that fund, be offered to the City
 of Boston & Town of Charlestown, upon condition,
 that they shall sustain them as free public ave-
 nues, & that, after such offer shall have been
 made, that the Commonwealth take no farther
 charge of either of these Bridges, it is therefore
 by the City Council of the City of Boston,

— Resolved, That the City
 of Boston will accede to the conditions above men-
 tioned, as far as relates to one half part of each
 of said Bridges & that it will sustain & keep in re-
 pair one half part of the same. Provided, however, that
 there be paid over to the said City one half part of
 the fund before mentioned, after deducting there-
 from the sum of twenty five thousand dollars, which is
 to be paid as aforesaid to the Proprietors of Charles
 River Bridge, the said fund being considered as

amounting to the sum of thirty five thousand, six 83.
hundred & seven dollars together with all the inter-
est accumulated thereon. And provided further,
that the Town of Charlestown or the County of
Middlesex shall likewise accede to said conditions,
as far as relates to the remaining half part of each
of said Bridges, & shall covenant to keep in re-
pair & sustain one half part of the same & pro-
vided further that the said Treasurers of the
Charles River Bridge shall accept the said
sum of twenty five thousand dollars as full pay-
ment for said Bridge. Came up for concurrence
— Read & Concurred.

The joint Committee con- School Houses
sisting of the Committee on Public Instruction
on the part of the Common Council, & of the Comm-
ittee on Public Buildings on the part of the Board of
Aldermen to whom were referred the request of the
School Committee for a new school House at East
Boston. The petition of Mr. H. May & others, with
the report thereon, respecting the enlargement of the
Elm School house & the petition of J. G. Still-
ley, & others for a new school house in Ward No. 3.
Reported as follows, viz. The Joint Committee
consisting of the Committee on Public Instruction
on the part of the Common Council & of the Com-
mittee on Public Buildings on the part of the
Board of Aldermen, to whom were referred the re-

84. quest of the School Committee for a new school house at East Boston. The petition of H. K. May & others with the report thereon taken from the files of the last year respecting the enlargement of the Eliot school house, & the petition of W. H. Shipley & others, for a new school house in Ward 3 have attended to the various subjects referred to them, & ask leave to present the following report. With regard to East Boston, the committee have satisfied themselves of the reasonableness of the request of the School Committee, and agree with them in the propriety of providing more ample accommodation for the great number of children of the residents in that Section of the City. The increase of numbers there has been far more rapid than was anticipated by the inhabitants themselves at the time when the vestry, now occupied as a school room, was obtained by the City. It was supposed that this room would be sufficient for four or five years, but in six months it proves altogether inadequate for the wants of the population, and the School Committee consider it their duty to apply to the City Council for increased accommodation. The Committee cannot but concur with the School Board in their view of its importance, but as the rapidity of growth of that part of the City is still somewhat uncertain they are of opinion that a less permanent structure than the usual brick school house will be advisable for the present & would recommend that a building of wood be provided capable of accommodating not less than 150 nor more than 200 children. They believe such an edifi-

ice can be erected at a moderate expense. That when the num. 85.
ber of children shall reach 200 a brick school house of
the usual size & form will be seasonable & proper. The vestry
will still be wanted for use as a primary school room,
for which the City are now paying rent at the rate of \$100
per annum. In conformity with the order & appropriation
passed by the last City Council, an agreement
has been made with the agent of the proprietors of the
estate adjoining the school house in S. Bennett Street
for the purchase of it, but as the owners are not all
resident in the City, & are some of them, miners, some de-
lay has unavoidably occurred in completing the deed
of conveyance. As soon as the deed shall be recorded,
which may now be soon expected, the committee would
recommend that instructions be given, to the appropriate
Committee of the Council immediately to receive
proposals for the erection of a new & large school house
in place of the one now standing there. As this warehouse
will rather provide better accommodation for the children who
now go there, than for any greater number of pupils. The im-
portance of another house in the northern section of the City
might still with much force in the minds of the Committee
& in view of all the circumstances of the case. They feel com-
pelled to recommend an appropriation during the current
year for a new school house to be erected within the limits
of Ward 3. The petition to this effect was signed by a large
number of the Inhabitants, house holders, & farmers of that
vicinity & the crowded state of the schools in that quarter
renders it probable in the opinion of the Committee.

36. That another house would speedily be filled with pupils.

It would afford opportunity, also for furnishing the inhabitants of that ward with a more convenient ward room than that they now use. In conclusion the committee submit the following orders, in relation to the three school houses mentioned above. To the Committee Samuel A. Eliot.

Ordered, That the joint committee on Public Buildings be instructed to erect at East Boston a school room sufficient for the accommodation of not less than 150 nor more than 200 pupils, provided the same can be done for an expense not exceeding \$2,000.

Ordered, That the same committee be instructed to take down the Eliot school house, & rebuild it of a larger size, sufficient for the proper accommodation of 400 pupils with a ward room beneath as soon as the deed of the adjoining estate shall be recorded.

Ordered, That the same committee be further instructed to erect a school house sufficient for the proper accommodation of 400 pupils with a ward room beneath, within the limits of Ward 3, provided the same can be done for a sum not exceeding \$20,000. Read & the two first orders were passed & the last recommitted with instructions to fix the location & probable cost of building a school house in Ward No. 3. Sent down for concurrence. Came up from the Common Council who concurred in the second order & ordered that the first order be recommitted with instructions to inquire into the expediency

of agreeing with the East Boston Company for land 87
& procuring a plan for a suitable building of brick
two or more stories high to be finished to accommodate
a Grammar & Primary School & Hatch made report
in season for the annual appropriation. Came up
for Concurrence. Read & Concurred.

The Committee to whom Pitman
was referred the petition of S. Pitman & others. Inhab Ward room No. 3.
starts of ward No. 3. for repairs to their ward room re-
ported. That they have caused such slight repairs
to be made, as they deemed necessary at present.
— Read & Accepted.

The Committee on the no. Hayden
dice of William Hayden. jr. of his intention of build-
ing on Washington Street, reported that no order of
the board of the Board is required thereon.
— Read & Accepted.

The Committee to whom Weatherbee
was referred the petition of E. J. Weatherbee May-
ing. That damages may be awarded to him for
land taken from his estate to widen Summer Street.
Reported as follows, viz. That said Weatherbee sued
the City for damages sustained by him in widening Sum-
mer Street & in extending Broad Street. That the
jury returned a verdict of \$650 for both Streets.
That by some informality of a part of the jury &

88. new trial was granted by the Court. That at this point a compromise was entered into between the City & said Weatherbee & \$1500 was paid to him as a full compensation for all damages sustained by him on account of these two streets. That in writing the order for payment a mistake was made by the omission of the words widening Summer Street. But that one of the Committee & the Solicitor recollects distinctly that the agreement with Weatherbee was that the above sum was in full payment for damages sustained by him on account of both streets. The Committee therefore are of opinion that said Weatherbee has not the least claim against the City for land taken to widen Summer Street, and ask to be discharged. Henry Tarnam for the Committee. — Read & Accepted.

Independence Ordered, that the Mayor, Aldermen & common Tarnam & Gurney, with such as the Common Council may join, be a committee of arrangements for the due celebration of the fourth of July next. Sent down for concurrence. Came up concurred, & the Common Council joined on its part Messrs. Tarnam, Cummings, Burr, Fox & Arnold.

May - The following order was passed, between seek & notice thereof was directed to be given by publishing square notices in the newspapers which publish the City Ordinances viz. Ordered, that notice be, and

herely is given to all persons interested, to appear before 89.
This Board on Tuesday the twentieth day of March
instant, at ten O'Clock A.M. to show cause, if any,
they have, why the way formerly leading from Dock
Square to Hookuck Alley, so called, & which lay next
wuthery of the ancient buildings on the estates now
or lately belonging to Daniel Greenleaf, Tilt's heirs,
Rufus Thayer's heirs, Amasa Stetson, Nathaniel Fox-
on, J. Kingsbury, & Samuel Hammett, should not
be discontinued from said Dock Square to the west-
erly side of Merchants Row.

Adjourned, to Monday next
11 O'Clock P.M.

At a meeting of the Board
of Aldermen, of the City of Boston, held at City Hall,
on Monday, the nineteenth day of March, A.D. 1838.
Present.

The Mayor, & Aldermen Farnam, Wetmore, May-
nard, Harris & Brimmer.

Order of the Common Boston Water
Council, committing the Memorial of the Boston Corporation
Aqueduct Corporation respecting supplying Water
the City with soft water to the Committee on the

90 Subject of water. Came up for Concurrence.
Read & Concurred.

Water

Ordered. That the Committee on the introduction of soft water into the City report a plan for the establishment of a sinking fund for the payment of any debt which may be incurred by the introduction of water.

Ordered. That the Committee cause the calculations of the Commissioners to be revised to ascertain if there be any errors therein.

Ordered. That said Committee report what measures or provision of law are necessary & expedient to prevent the water introduced from being made free, previous to the liquidation of the debt so incurred. Sent down for Concurrence
Came up Concurred with amendment.

Read & Concurred.

Wards.

The Committee to whom New Division was referred on order, to consider & report on the expediency of making a new division of the City into twelve wards reported, as follows, viz. That it is, in the opinion of the Committee altogether expedient, to make a new division of the City into wards. The great inequality of the inhabitants of the wards at the present time demands correction. in fact to conform to the spirit of our republican government it becomes absolutely imperative. The Committee for the better understanding of this subject

have prepared a table which accompanies and forms II.
a part of this report. said table shows the division of
the wards by the selectmen in the year 1822. The in-
crease & disparity in 1830 & 1837. The last census was
taken about ten months since which may be taken
for the basis of the new division. It is now sixteen
years since a division was made. it appears to have
been anticipated by the framers of the City Charter
that a new division would be required in about ev-
ery ten years. The language of the Charter is as
follows. "It shall be in the power of the City Co-
uncil from time to time, not often than once in
ten years to alter such division of Wards." The
Committee believe it to be the imperative duty of
the City Council to perform this task at the pres-
ent time & not permit it to be neglected any
longer. the extra trouble it will throw upon the
present Council ought not to be weighed against
duty to their constituents. The Committee have
accordingly prepared an order which accompa-
nies this report & recommend the passage of the
passage of the same which is respectfully submitted.
Henry Farnam for the Committee.

Ordered.

to be joined by the Common Council be a
Committee who are authorized to make a new divi-
sion of the twelve wards within the city as soon as
convenient, in such manner as to include an equal
number of inhabitants in each ward, as nearly as

Q2 conveniently may be, consistently with well defined limits & each ward, including in such computation of number of Inhabitants, persons of all descriptions, & taking the census of 1837 made under the authority of the Commonwealth of Massachusetts as a basis for such computation & limiting South Boston as one entire ward to be designated The town of Read, accepted, & the order passed, & the same committee was appointed to carry the same into effect. Sent down for concurrence. Came up Concurred, with amendments as follows, viz. "and to report their proceedings to the City Council for their sanction" added in continuation. and the Committee on the part of said board who reported the same were added to the Committee of the other board to carry the same into effect. — Read & Concurred.

Children.
Schools.

The Joint Committee who were appointed to consider the expediency of adopting some mode whereby those children who are too old for admission into the primary schools, & are not qualified for admission into the Grammar Schools, may be provided with the means of instruction have attended to the subject committed to them and are here to report. That the City Council has for several years past, been appealed to, to adopt some measures by which a numerous class of children who, owing to a criminal neglect of their parents and various other causes, cannot now enjoy the ordinary means of instruction at the public schools. By the report

if a Committee in 1836 it appeared that there then were 93
about 329 children in the situation of whom, 77 were of
the age of seven years & under, & 217 between the ages of
nine & fifteen. This number is now probably somewhat in-
creased, but to what extent is not known. For so large a class
now left to run wild about the streets, some provisions, in
the opinion of your Committee ought to be made. Some
of them are now, to be sure, admissible into the Primary Schools
& many of them have already become the proper subjects for the
House of Reformation, but there are also many, who if they
could now have the means of instruction, might be saved from
a life of idleness & from the indulgence in vicious habits, which
if unrestrained, in their very beginning, must ultimately make
them tenants of the House of Correction or State Prison. The
Committee are of opinion that the rule adopted by the School
Committee of admitting some of these children into the Gram-
mar Schools & of placing them in a form by themselves, will
if carried into practice, remedy some of the evils now felt.
They believe however that more good may be done by the
instruction & discipline of the Primary School, in all
cases except those where the individual is too old to sub-
mit to female authority, or is from immoral habits
unfit to associate with children in any school. The
propriety of admitting into the Primary Schools, the
class of children mentioned in the order, must therefore
depend upon the circumstances of each individual
case, & the power of determining it, may be well
left to those to whose care the management of these
schools is confided. The Committee however do not

94 think that the number of those Children, or the public good demands that they should be admissible into all the Primary Schools, but they believe that the appropriation of one school in each district will be sufficient, at least for the present. And in accordance with these views they offer the following order, trusting however that if the School Committee shall hereafter from experience, ascertain that it interferes with the proper discipline of the schools, or encourages parents to neglect sending their children to school at the proper age, it may be at once rescinded. For the Committee. Thos. Wetmore.

Ordered: That the Primary School Committee be, & they are hereby authorized to admit into one school, to be by them selected, in each of the school Districts, any child who is more than seven years of age & is not qualified for admission into the Grammar Schools. Read, accepted & the order passed. Sent down for concurrence. Came up Concurred.

Salaries.

Order of the Common Council appointing Messrs. Harris, Pratt & Lincoln with such as the board of Aldermen might join, a committee to consider & report, what salaries shall be granted to the several City & County Officers, for the year commencing on the first day of April next. Came up for Concurrence Read & Concurred, & Aldermen Tarnam & Wetmore were joined.

Petition of Robert G. 95
Shaw, & others, to have the street forty feet wide between Shaw-
ing from Ann Street to Commercial Street near the Lewis Street
Head of Lewis's wharf, hereafter called & known by the
name of Lewis Street. Referred to the Committee on
Streets.

Petition of Thatcher R. Raymond.
Raymond & others, owners & occupiers of estate on Garden Court
Garden Court Street, praying that the name of Garden Street
den Street may be changed to some other, & that the
name of Garden Court remain. Referred to the
Committee on Streets.

Petition of John Silley, Silley.
for leave to widen the side walk in front of his store corner street
on Court Street, at the corner of Cornhill, in order
that he may construct a cellar door in Court Street.
Referred to the Committee on Paving.

Petition of John C. Cook, Cook.
& others, to have Federal Street paved between High Street & State
Street & Broad Street. Referred to the Committee
on Paving.

Petition of Aaron W. Willard.
Card & others, praying to have the side walk laid down
in Washington Street, from Graham Street to
Roxbury Line. Referred to the Committee on
Paving.

96.
Grover? was referred the petition of Nathaniel Grover, and others, to have the Common Sewer in Purchase Street, relaid - reported that an order of notice be issued, returnable on Monday next, 4 O'Clock P.M.

Read & Accepted.

Liverpool Wharf

The Committee on the petition of the proprietors of Liverpool Wharf Corporation that the Common Sewer which runs through land of said Corporation extending from Broad to Purchase Street, may be removed to Earl Street, reported that an order of notice be issued, returnable on Monday next, 4 O'Clock P.M.

Read and Accepted.

Statements of
taxes

The assessor made a return of the statements of taxes the last year. Also the transfers of certain taxes from one person to another.

Read & Sent down.

Walker.

Petition of Amasa Walker & others, praying, "That a legal meeting of the Voters be notified & held in Town Hall, on Wednesday next, the twenty first instant at eleven O'Clock A.M. to discuss the question of the expediency of procuring a supply of soft water for the City, & at the expense of the City, with the further object of obtaining a decision."

at an adjourned meeting of the voters of the City by their ballot, 97
whether they will instruct the City Council forthwith, to take
the necessary measures for the accomplishment of the object, &
also whether in said instructions they will point out and
decide upon the place from whence the water shall be brought,
Read, & the prayer thereof not granted. & the motion or-
dered, that the use of Faneuil Hall be granted provided,
the petitioners request it, & shall obtain the requisite
number of signers for that purpose.

The Committee to whom Rice, attorney
was referred the petition of Henry Rice, as attorney to Tho. Cole,
mas Cole praying that payment be made him which he Washington St
allotted his tenant, in consequence of widening Washin-
ton Street near Marlboro' Hotel. reported as following.
That Henry Rice attorney to said Cole liased the es-
tate adjoining the Marlboro' Hotel to Calvin Heald
on the 11th day of January 1830. for three years at \$700.
per annum, conditioned that in case the city author-
ities should cut off the front of the building & reduce
the size of the shop & dwelling house, as was contempla-
ted, a deduction was to be made of \$75 per annum. That
said cutting off did take place & that allowance was made
by said Rice (for said Cole) to said Heald for which no
allowance has been made by the City. The Committee hav-
ing satisfied themselves of the above facts, have prepared
an order for the payment of the same which is respect-
fully submitted. Henry Furness for the Committee.

Ordered, That there be allowed

48. & paid to Thomas Cole the sum of \$225 in full for damages sustained by him & deducted from the rent of Calver's Hotel for reducing the Store leased to him on Washington Street adjoining the Marlboro' Hotel on his giving a receipt for the same & releasing the City from all damages. — Read & accepted.

Resolution

The Committee on the petition of David Melcher, for leave to straighten his line on Bennett Street, reported as follows, viz. The Committee on Streets have examined the within named premises & recommend that the prayer of the petitioner be granted. For the Committee Henry Farnam. Read & Accepted.

Olis.

The Committee on drains & and others, to whom were referred the petition of William Wells Common Sewer, for relief to be relieved from the payment of the respective amounts assessed upon them for the construction of Common Sewers, reported as follows, viz. That for the reasons stated in this petition, one half of the assessment referred to, ought to be abated. For the Committee Thos. Welmore.

Tales

Common Sewers

The Committee on drains and Sewers, to whom were referred the petition of Samuel Tales, to be relieved from the payment of the respective amounts assessed upon him for the construction of Common Sewers, reported as follows, viz. That the prayer of the foregoing petition ought to be granted & the assessment abated the petitioner never having derived.

any benefit from the Common Sewer before mentioned. 99.
For the Committee The Wetmore. Read & Accepted.

The Committee on draining Common sewers
& sewers to whom were referred the petition of C. S. Smith & Susan
Smith & Susan B. Barker, to be relieved from the payment
of the respective amounts assessed upon them for the
construction of Common Sewers, reported as follows, viz:
That the petitioners have leave to withdraw. For the
Committee The Wetmore. Read & Accepted.

The Committee on draining Common sewers
& sewers to whom were referred the petition of Henry C. Codman
man, to be relieved from the payment of the respective
amounts assessed upon him for the construction
of Common Sewers, reported as follows, viz: That
the facts stated in the foregoing petition are true &
that the prayer thereof ought to be granted: & the
assessments abated & reversed. For the Committee
The Wetmore. Read & Accepted.

The Committee on draining Common sewers
& sewers to whom were referred the petition of H. C. Otis, to
be relieved from the payment of the respective amounts
assessed upon him for the construction of Common Sewers,
reported as follows, viz: That the petitioners have leave
to withdraw this petition. For the Committee The Wet-
more.

Adjourned to Ten O'Clock tomorrow morning.

A collection of the board
of Aldermen of the City of Boston; held at City Hall
on Tuesday, the twentieth day of March, A. D. 1835.

— Present.

The Mayor, and the whole board of Aldermen except
Alderman Richardson.

— May —

for Dock Square
to Dock Alley.

And now it appearing to
this board that notice has been given, agreeably to the
order passed this board on the 12th instant respecting
the discontinuance of a way from Dock Square to Roebuck
Alley. Amasa Stetson & others, owners of certain land and
warehouses situate in Market Square, formerly so called,
appear & file their remonstrance against the discon-
tinuance of said way, which was read & on motion
of said remonstrants the further consideration of the
subject was postponed to Monday next at 10 o'clock A.M.

Hinball & Miller

electro-magnetic

power.

Petition of Hinball and
Miller for a license to exhibit illustrations of the
electro-magnetic power at No 36 Washington Street,
for two months. Referred to the Committee on Licenses
with full power.

Adjourned to Monday
next, at 10 o'clock P.M.

At a Meeting of the Board of Aldermen, of the City of Boston. held at City Hall on Monday, the twenty sixth day of March A.D., 1855.

—Present.

The Mayor, & the whole board of Aldermen, except Alderman Richardson.

The Committee to whom was Common Sewers, referred the petition of William Foster, & others, for an alteration in the ordinance relating to Common Sewers, reported an ordinance in addition to an ordinance relative to sewers & drains, which was read & the ordinance passed.

Sent down for Concurrence.

Came up Concurred.

Ordered, That the Committee Commercial be on sewers & drains to authorize to cause the obstructions to be removed from the cut lot of the common sewer, leading from Commercial Street to the City Dock and to cause said sewer to be extended as far as may be necessary to prevent the same from filling up.

The committee on Shaw. Shew to whom was referred the petition of Peter G. Shaw Lewis & others, praying that the street leading from Ann Street to Commercial Street near the head of Lewis's Wharf, be named Lewis Street reported as follows. They are of opinion that the prayer ought to be granted & recommend the passage of the accompanying order, which is submitted. Henry Barnard for the Committee read.

Ordered, That the street leading from Ann Street to Commercial Street near the head of Lewis Wharf be named Lewis Street and that the Committee on Streets be authorized to put up a sign at the corner of said street with the name of Lewis Street painted thereon. Read, Accepted and the order passed.

Spring Estate

The joint Committee on public lands, who were instructed to consider the expediency of purchasing the Spring estate (so called) on the west of the New Court House, Court Street. Reported as follows viz. That they have viewed said Estate, & considering its proximity to the Court House, there being only a narrow passage way about twelve feet wide between the eastern line of said estate & the Court House. That in case the proprietors of said estate should erect buildings on said line & should elevate them to any considerable height, in the opinion of your Committee, the light & air of said House would be materially affected thereby & besides after having incurred a heavy expense in erecting a substantial & commodious edifice, sufficiently spacious to accommodate all the Courts of the City. and then to mar the symmetry of the whole arrangement & risk the diminution of light & air which by experience may be found necessary for the convenience of the building, merely to save the expense of purchasing a quantity of land which if obtained may secure all these advantages, would be unwise. The Committee therefore are of opinion that it is expedient to purchase

said estate, provided, it can be obtained on reasonable MS.
terms, & for the purpose of testing the value of the City
Council upon the subject they recommend the adoption
of the following order. For the Committee, Nathan
Gurney.

Ordered: That the Commit-
tee on Public Lands be, & they are hereby authorized
to purchase the Estate west of the Court House, known
by the name of the Spring Estate, provided the same
can be purchased at a rate not exceeding four dollars
per square foot, & that provision be made for the same
in the appropriation bill for the next financial year.

Accepted in Common Coun-
cil & the order passed. Came up for Concurrence
Read & Concurred.

Petition of William John Tapley,
leg. & others, to have Division Street widened near Cooper Sixth Street.
Street. Referred to the Committee on Streets.

Petition of Samuel Palmer
Palmer for additional compensation for his atten-
tion to fire plugs. Referred to the Committee on the
fire department.

Petition of S. J. Short, Sheriff
Left agent of the estate of Jonathan Corbin, to be re- for
lived from the apportionment made upon said estate. Valued
for entering the common price in this year. Referred
to the Committee on drains & sewers.

104.

Petition of W. Reed to be relieved from the payment of an assessment made upon him for a common sewer in Eliot Street. Referred to the Committee on Drains & Sewers.

Cochran

Petition of E. Henry Cochran, old water paymaster, praying, that Old Harbour Street be finished as far as the northwest corner of a certain lot of land now enclosed & owned by Hail J. Wren. Referred to the Committee on Streets.

Minot.

Memorial of William Minot in behalf of the heirs of Girdall Pitt, respecting the laying out a street in continuation of North Market Street, & the discontinuance of the way from Dock Square to Roebuck Alley. Referred to the Committee on Streets.

May--

Ordered, That the further consideration of the subject of discontinuing the way from Dock Square to Roebuck Alley, formerly leading from Dock Square to Roebuck Alley, & which lay next southerly of the ancient buildings on the estates now or lately belonging to Daniel Spooner, Pitt's heirs, Rufus Thayer's heirs, Amasa Weston, Nathaniel Tarn, J. Kingsbury, & Samuel Hammond, be postponed to the next meeting of this Board, to be held on Monday the second day of April next.

Drury

The Committee to whom was referred the petition of Emma M. Drury for leave to build arches under the side walk at No. 26 Exchange Street, also to allow of Wilson Lane for

a few days, while erecting a building, reported, as fit 165
ms. viz. That the petitioners have leave to construct a drain
as prayed for, provided the work be done to the satisfac-
tion of the committee on paving & free of any expense
to the City & to be removed at the pleasure of the Mayor
& Aldermen. They also recommend that the petitioners
have leave to close up Wilson's Lane for ten days. For
the Committee Thos. Hunting. Read & Accepted.

On the petition of the Liverpool
Liverpool Wharf Corporation, praying that a common sewer, lead-
ing through land belonging to said
corporation, extending from Broad to Purchase Street,
may be removed to Purchase Street.

Ordered, That said
Corporation have leave to remove said sewer at their
own expense, according to their petition, under the
direction of the Superintendent of Sewers, pavers,
&c. they take up & relays the common sewer in Pur-
chase Street & lay a common sewer in Broad Street
in such manner as may be deemed expedient by
the Committee on Sewers.

Communication from the Primary
primary school committee, respecting the building of school
primary school houses in the several parishes & districts,
& praying that a suitable number of buildings may
be erected for the accommodation of the pupils in
said schools. Read & referred to the Committee who
have under consideration the Auditor's annual ac-

116. *list of expenditures, ways & means, &c. to consider & report.*

Read down for concurrence. Came up non concurred. & the Common Council ordered the same to be committed to the Committee on public instruction with such as the Board of Aldermen might join, to consider and report. Came up for concurrence. Read & the Board reconsidered its former vote, & concurs with the Common Council & joined on its part Aldermen Tarnam, Huntington & Harris.

117. *A paper addressed to the Mayor & Aldermen signed by B. J. Reed & 959 others, qualified voters, requiring this Board to warn a meeting of the qualified voters to assemble in Town Hall, on Wednesday the 28th instant, at 3 o'clock, p.m. to discuss the question of the expediency of procuring a supply of soft water for the City, and at the expense of the City; with the further object of obtaining a decision at an adjourned meeting in the respective wards & meeting in the several wards of the City, of the voters of the City by their ballots, on the question whether they will instruct the City Council, forthwith, to take the necessary measures for the accomplishment of the object, as before stated; also, whether, in said instructions, they will point out the source from whence they desire the water shall be brought, & by their vote, to indicate the same. Read & referred to Aldermen Tarnam, Holmer & Turency, to consider & report. The said Committee afterwards reported, as follows, viz— That, in their opinion, the language of the communication referred to them must have arisen from a misapprehension of the meaning of the language of the*

City Charter. The Subscribers to the document appear to 107.
think that the Mayor & Aldermen are left without dis-
cretion in relation to any such application, & that upon
the requisition of fifty qualified voters they must notify
a City meeting. This has never been the interpretation put
upon this clause by the board of Aldermen, who have un-
iformly thought, & frequently acted on the opinion that
the insertion of the word "may" in that section of the
Charter was intended to give, & did give to the ~~Board~~ a dis-
cretionary power to call such meeting or not as in their
judgement might be expedient. If that word had been
left out, the section would then have borne the construct-
ion put upon it by the applicants, but as it stands, the
City government have supposed that it intended that
"such meeting shall be duly warned by the Mayor and
Aldermen" & by no other City Officers" & may be duly war-
ned by the Mayor & Aldermen if thought expedient by
them. If this interpretation be correct (& there is high
legal authority for it) the call for a City meeting is a
question upon which the board may act according to
their best judgment. With regard to the present case,
the Committee are of opinion that it is inexpedient
to grant it for the following reasons. The applicants
demand it for the purpose, not merely of dispensing,
but with the further object of instructing the City
Council in relation to the subject of the introduction
of pure water. As far as the opinion of the City
can be shown by a meeting of the qualified voters
in Town Hall, it has already been ex-
pressed.

108. ited by the meeting which was held there in August 1836, & against the doctrine of imperative instruction by such a meeting, or by any other meeting of the citizens, the Committee must earnestly protest, every member of the City Council has sworn to perform his duty "according to the best of his ability & understanding." & that oath must be his guide, whether instructed or not by a City meeting. The consequence of instructing the council by a general vote would be that the voice of the opposition sent to the council, perhaps, purposely to act against the measure in contemplation, would be completely drowned & overborne, & a majority of the voters, would thus be supposed of the right, not merely to carry their measures, but to silence all opposition, a result not contemplated, surely by any republican form of government, & scarcely expected by the most despotic. Again, the 25th Section of the Charter, by the phrase "to give instructions to their representatives," (which is relied on as the foundation of the right,) is conceived to mean, representing in the Legislature, or in Congress, of which bodies the City representatives constitute but a small part. The idea of instructing the whole of any legislative assembly by a general vote of their constituents, is believed to be as novel as it would be inexpedient in practice. In the present state of public feeling on the subject of the introduction of water, it seems to the Committee, that if any action of the City be called for a more general

vote than can be given by any meeting in Town Hall 102.
is desirable. The suggestion of the applicants of an ad-
journed meeting to the "respective places of meeting in
the several wards of the City" strikes the Committee as
likely to be far more useful than a vote in Town
Hall, which has, indeed, already been passed. For
the purpose of discussion merely, a City meeting is
not necessary, & any general meeting for that pur-
pose would be equally valuable & important. The 25th
Section of the Charter requires that due notice shall
be given of City meetings called by the Mayor and
Aldermen, & the shortness of the interval between this
& Wednesday leaves scarcely time to fill out, print, &
distribute the necessary notifications. It could hardly
be regarded as a meeting du jour, & it would be
one called in a manner entirely unprecedented. For
these reasons the Committee recommend that the use of
the Hall be granted on Wednesday next to such persons
as may wish to discuss the question of the introduction
of water, or vote upon it, & that a meeting of the cit-
izens be called at an early day to vote, in their respect-
ive wards, upon the question whether they desire the
introduction of water by the City, & whether they
think it expedient that the work should be begun
the present year. The Committee are the more ready
to recommend this course, as in consequence of a
recent vote on the subject of the introduction of water
passed by the Board, it cannot be pretended that there
is any backwardness in the part of the Board to

119. in the premises, nor any unfavorable disposition to the wishes of the applicants. They have done, & are still ready to do all which their sense of duty dictates. The Committee submit the following orders. Henry Furness, Thos. Wetmore, Nathan Gurney.

Ordered, That the use of Faneuil Hall be granted to B. J. Reed & others on Wednesday next at 3 o'clock, to discuss the question of the expediency of procuring a supply of soft water for the City, & at the expense of the City.

Warrants for
ward meetings

Ordered, That the Inhabitants legally qualified to vote be notified to meet on Monday next at 12 o'clock, at the places of meeting of the respective wards, then & there to give in their ballots on the following questions.

1. Is it expedient for the City to procure a supply of soft water at its own expense?
2. Is it expedient to begin the work the present year, if the necessary power can be obtained from the Legislature?

Ordered, That the polls be kept open till 4 o'clock P.M.

Reed, accepted, & thereupon ordered, that warrants be issued for meetings in the respective wards agreeably thereto.

Colburn.

The Committee on the petition of Frederick A. Colburn, together with the report of the Committee of the last year, reported as follows. viz.

That in their opinion it is proper that some additional compensation should be made to the petitioner for extra services performed during the past year & for the reasons set forth in the report on the files. They therefore respectfully recommend the adoption of the following order: In the Committee. Saml. A. Eliot.

Ordered, That there be paid to H. A. Colburn the sum of one hundred dollars, in addition to his salary for the past year as Clerk to the Chief Engineer, for extra services rendered in the department. Read, accepted & the order passed, with this amendment, viz. by adding in continuation of said order these words "and that the same be charged to the appropriation for incidental expenses, miscellaneous claims." Sent down for Concurrence.

Came up. Concurred.

A Lease of the City to Bill's William D. Bill of a store in Cuy Street No. 7. Lease for three years from the first day of March instane. for one hundred dollars per annum. Appraised. Sent down for Concurrence. Came up Concurred.

On the petition of Nathl. Grover, Daniel Grover & others, praying, that the Common Council pass a law in Purchase Street & Purchase Place may be retained, & the expense thereof apportioned according to law, upon those whose estates shall be benefited thereby, and it appearing to this board that notice has

112 been given agreeably to the order passed at a meeting of this board on Monday last; & no person appearing to object. It is thereupon ordered that the Committee be authorized to cause said common sewer to be relaid agreeably to the prayer of said petition.

Washington

Street.

The Committee on Streets on the subject of taking down the buildings, within the line of Washington between Beech & Knicker and Streets as laid out the last year, reported the following order: viz.

Ordered, That so much of a resolution that passed this board on the 17th day of April 1837, for the purpose of widening Washington Street, on the east side thereof, from Beech to Knickerland Street, & appointed the cutting off to take place after the first of May 1838. be suspended as follows viz. The estate owned by Josiah Knapp, & Betsey Tappan's heirs, shall not be cut off to widen said Washington Street, until the further order of the Board. Read & accepted.

Kimball & Miller,

The Committee on Licenses to whom was referred the application of Kimball & Miller for a license to exhibit an Electro-Magnetic power for two months at No. 36 Washington Street, reported, That the same has been granted.

Read & accepted.

At a Special meeting of MS.
the Board of Aldermen, of the City of Boston, held at City
Hall, on Wednesday, the twenty eighth day of March, A.
1858.

Petition of Josiah Bumstead, Bumstead,
& others, praying for the use of Faneuil Hall, on Friday Faneuil Hall,
evening next for a meeting of the citizens to discuss the
project of obtaining a supply of soft water for the
City & for such other objects connected with the subject
as may be deemed expedient to act upon. Voted & the
prayer thereof granted.

Adjourned to Monday
next, four O'Clock P. M.

At a meeting of the
Board of Aldermen, of the City of Boston, held at City
Hall, on Monday the second day of April, A. 1858.
Present.

The Mayor, & the whole Board of Aldermen, except
Aldermen Gurney & Richardson.

George T. Veck Licensed Auctioneer.
as an Auctioneer, & his bond approved.

The Committee a separate House of Representatives.

1141 To consider & report on the subject of a proposed act in addition to an act concerning Juvenile offenders, in the City of Boston, taken from the file, and to obtain the opinion of the City Solicitor, in relation to said act, Have attended to the duty assigned them, & submit herewith the opinion of the City Solicitor, & the views of the Board of Directors of the House of Industry, & of the House of Reformation on the subject. As the opinion of the City Solicitor is clear & they think conclusive, they do not deem it necessary to add any thing to a decision which seems to them to put the question at rest. They ask to be discharged from the further consideration of the subject. For the Committee, Saml. A. Eliot. Accepted in Common Council. Came up for concurrence. Read & concurred.

Savage.

Order of the Common Council

Case: all referring the petition of William Savage, & others, praying, that the City would grant them the use of a piece of land for a depot for the sale of coal from the several mines in this State - to the Committee on Public Land. Came up for concurrence. Read & concurred.

Cushing.

Remonstrance of John Cask

Laram, stating & others, against the alteration of the name of Garden Street. Referred to the Committee on Streets.

Petition of Samuel

Gray, & others, to have an abatement of a Sep-

ments made on them for a common sewer in Charles St.
1000 ft. Referred to the Committee on drains
& sewers.

Petition of the propri-
etors of Morris Wharf to have the common Sewer extended
from their dock to lower water mark. Referred
to the Committee on drains & sewers.

Petition of Mudd & Mudd & Moore!
Moore praying that the nuisance which exists in con-
sequence of the tide water flowing back into the cellar
of their houses on Commercial Street near Copey Hill
may be abated. Referred to the Committee on drains
& sewers.

Ordered, That the several Engine
companies be permitted to employ horse, today Companies.
their Engine to or from a fire, or an alarm of fire, when
ever the streets are in such condition as to render it
otherwise impossible to move with reasonable expedition.

Ordered, That engine Com Engine
company No. 14 be hereafter required to store at all al-
arms, in the same manner as other companies.

Ordered, That the Fire Department be authorized to ex-
ect a wooden building, on the vacant lot belong-
ing to the City on Tremont Street, at an expense
not exceeding three hundred dollars, for the

116 purpose of storing the hook & ladder carriages, and apparatus now kept in Franklin Place. Sent down for concurrence. Came up Concurred with ^{this} amendment viz, By adding in continuation of the above order, the words & That the expense of erecting said Building be charged to the appropriation for the erection, rent & repairs of Engine Houses. — Read & Concurred.

Coolidge

The Committee to whom might be referred the petition of David Coolidge & others, contractors for emptying vaults, reported that same be referred to a joint Committee. Read, & Accepted. & Aldermen Maynard, Huntington & Harris, with such as the Common Council may join were appointed, as committee to consider & report. Sent down for Concurrence. Came up Concurred, & the Common Council joined in its part Messrs. Richardson, Eaton, Preston, J. B. Parker & Wheeler.

Proceedings

Order of the Common Council appointing Messrs. Shattuck, Harris, & Holden, with such as the board of Aldermen might join, a Committee to consider the expediency of adopting measures to have the proceedings of each board of the City Council correctly reported for publication. Came up for Concurrence. Read & Concurred. and Aldermen Huntington and Brimmer were joined.

The Committee to whom was 11
referred the order respecting some alteration in the system of Poor
supporting the poor, reported as follows, viz. That the subject
referred to them is one, which the Committee find, on exam-
ination, has engaged the attention of the City Council, at va-
rious times, since the incorporation of the City in 1832. There
have been occasions when the collisions in the opinions of
the different Boards of the Overseers of the Poor, of the Direc-
tors of the House of Industry, & the other City authorities,
were such, as in their opinions, to threaten an abridge-
ment of the usefulness of those institutions; & their respec-
tive rights have been adjusted only by a reference to the
highest legal authority of the City. The Committee have
no desire now to revive the question; in controversy, than, by
a discussion of the propositions contained in the order submit-
ted to them. They are in many respects similar, & however im-
portant they may be, the discussion would probably result in
no useful action. The present system of supporting the
poor they regard as objectionable, because it is more expen-
sive & less effective, than one which could be devised, by com-
bining the Directors of the House of Industry, the Overseers
of the Poor, & the visitors of the Poor, under one Board,
& making that board accountable to the City Council. This
could not be done however, without a radical change
in our present system, which it is not in the power of the
City Council to effect. The proposed alteration in the
City Charter, had it been adopted, would have com-
mitted the City Council to have done it, & whether
the Overseers had been chosen by the citizens or by

115. The City Council, from the several wards, would be immaterial, provided such a system be introduced. But since the Citizens did not adopt the proposed amendments, the Committee are unanimous in their opinion, that it is not expedient, nor is it in their power, at present, to make any alteration in the system of supporting the poor, or the prevention of pauperism. The Committee will not now go into a discussion of a system which they think might be adopted, but ask to be discharged from the further consideration of the subject, all which is respectfully submitted. Samuel Shattuck, per order. Accepted in Common Council. Came up for concurrence.

— Read & Concurred.

Adams.

Petition of Thomas Adams, asking that a fruit stand may be removed from the Market where it now stands. Referred to the Committee on the Market.

Tapley

Simon Street.

The Committee on Streets. Petition of William Tapley, asking, that Salem Street widened between Federal Place & Hutchinson Street, reported as follows, viz. That said Salem Street is intersected by the town to be thirty feet wide, & it would be very convenient to have it of that width, but the other great avenues that lead across what was formerly the mill-pond land to Charles River takes so large a portion of the travel from said Salem Street that the board have adopted the rule to widen said street only when new buildings are

about to be erected in place of the old ones. The alterations now making in the building alluded to in said petition are of small expense, but the amount of damage in cutting it off & setting it back to the perspective line of the street will be very great. The Committee therefore deem it inexpedient to order said Salem street as proposed by said petitioners at the present time & ask leave to be discharged. So the Committee. Henry Barnum. Read & Accepted.

The Committee on streets & sidewalks submit the following order as a final settlement with Dexter & Smith, which is submitted. So the Committee. Henry Barnum.

Ordered, That there be paid to Dexter & Smith the sum of Twenty five hundred dollars in full for damages sustained by them in extending Totten street on their removing the buildings, Woodcock & Co. from the line of said street giving a receipt for the same & releasing the City from all damage. Said sum to be paid on the fifth of May next, & said Dexter & Smith to be allowed interest on the same from the time that all obstruction is removed from the line of said street. Read & passed.

Ordered, That the Surveyor may consider of the subject of discontinuing that Dock Lane way formerly leading from Dock Square to Woodcock alley, so called, & which lay next Seneca

120. of the ancient buildings in the estates now in Saleen, belonging to Daniel Beckett, Pitt River, Joseph Thayer's heirs, Amasa Nelson, Nathaniel Green, J. Hinckley & Samuel Hammond, be postponed to the meeting of this board, to be held on Monday the ninth day of April next.

Adjourned to 12 O'Clock
tomorrow noon.

At a meeting of the
Board of Aldermen of the City of Boston, held at
City Hall, on Tuesday the third day of April A. D. 1851.
Present.

The Mayor, Aldermen Tammann, Welton, May-
nard & Harris.

Water. The board proceeded to ex-
amine, & vote, on the returns of votes given yesterday in the sev-
eral wards, on the following proposition, & found them
to be as follows, viz:

1. Is it expedient for the City to procure a supply
of soft water, at its own expense?

Yeas — 2541 — Nays — 1621 —

2. Is it expedient to begin the work the present
year, if the necessary power can be obtained of the Leg-
islature? Yeas — 2507 — Nays — 1652 —

Thereupon ordered, that the result
be published in the newspapers.

Copy of the records of the 121.

Board of accounts respecting the appointment of Phys. Physicians
of the Jail & House of Correction. Reported to the Jail & H.C.
Committee on Jail & House of Correction.

Adjourned to Mon-
day next, four O'Clock P.M.

At a Special Meet-
ing of the Board of Aldermen, of the City of Bos-
ton, held at City Hall, on Friday the sixth day of
April D. 1838. Present.

The Mayor, & the whole Board of Aldermen except
Aldermen Hayward & Richardson.

Order of the Common Water,
Council instructing the standing Committee on the intro-
duction of Water to make immediate application to the
Legislature for the grant of such power to the City as
may be necessary for the introduction of a sufficient
supply of Water from Great & Mystic Rivers, &c. &c.
And. Came up for concurrence. Resolved.

Adjourned to Monday
next, four O'Clock P.M.

A meeting of the
Board of Aldermen of the City of Boston, held at City
Hall on Monday the ninth day of April A. D. 1838.
Present.

The Mayor & the whole board of Aldermen ex-
cept Aldermen Richardson.

Public Buildings

Ordered, That there be a
Standing Committee to be called the joint Standing Com-
mittee on Public Buildings to consist of three members
of the Common Council.

Ordered, That said stand-
ing Committee be authorized & full power is hereby grant-
ed to said Committee to make out & execute all leases &
contracts for leases of the Public Buildings where rent
is reserved & for a term of time not exceeding three
years, & that all leases & contracts for leases where
the term exceeds three years shall be committed to said
Standing Committee, & it shall be their duty to re-
port the same to the City Council for its sanction &
approval before the same shall have any obligatory
effect on the City. Came up for Concurrence.

Read & Concurred.

Public Buildings

Ordered, That the Messrs.
Aldermen Tarran & Brimmer be a Standing
Committee on Public Buildings in the part of this year.
The Common Council joined in its part Messrs. Mad-
den, Boston. J. J. Shelton, Dedd & Eaton.

The Superintendent of 123.

Common Seals reported a paper made for the Common Seal
construction of the following Common Seals. viz.
Gov. Chamber. Inspect. & Mult. of Streets. &c.
& placed & thereupon ordered that the several bills be
made out & lodged with the Treasurer for collection.

The order for the appointment of Directors of the House of Reformation came up amended by inserting seven instead of five, which was concurred in by this board.

The board then pro- Directors
ceeded by ballot to the choice of five directors & the
votes being taken, it appeared that Messrs John
Kraus, John S. C. Simmonds, Henry G. Tracy
& William Parsons were chosen in accordance
with the Common Council.

The Committee on Salaries.
The subject of salaries of City & County Officers
reported an order establishing Salaries for
such officers. which was read & passed. Sent
down for Concurrence. Came up concurred with
amendments. Read & Concurred.

Petition of Josiah Brown,
others. Who have been his feet mended & repaired.
South street. Referred to the Committee on Streets & Paving.

Marsh. Petition of Ephraim
Sage & John Marsh, others. Who have been their feet accepted.
Referred to the Committee on Streets.

Tilley. Report of Committee
on the petition of John Tilley. for leave to widen
the sidewalk in Court Street near Cornhill. report
is, that the same ought not to be granted.
Read & Accepted.

Leads. Report of the Commit-
tee on the petition of Samuel Reed & others,
for abatement of a segment in their estates
for Common Sewer in Charlestown Street. That an
abatement be made of one half part of the same
assessed on the petitioners & the amount assessed
on future entries. Read & Accepted.

Marshall. Petition of Edward
Marshall & Abraham M. Moore. That the assess-
ment made on them for constructing the common
sewer in Southack Street be abated. Referred
to the Committee on Drains & Sewers.

Petition of Edward

Chamberlain & Charles W. Ayres to have the Common 123.
Fever relaid in Bragg Street. Referred to the Com. Chamberlain.
Committee on drains & sewers.

Memorial of W. E. Ellis, Esq.
respecting carrying in soft water & withdrawing
his name from the petition for that purpose, & sug-
gesting the propriety of having the City Land, south-
west of Baylestin Street vested in the hands of
trustees, pledged for the payment of the City debt.
— Read & sent down.

Petition of G. M. Hill, Mecton
ton, proprietor of the Ex Olympias, for leave to exhibit the Ex.
sames at the bottom of South Market Street in a building
to be erected for that purpose. Referred to the Commit-
tee on licenses.

Petition of Joseph Cut- Cabot
et & John Sears, praying leave to remain a few days (Americans),
with their collection of minerals at the National Gallery
at No. 63 Union Street. Referred to the Committee on Scien-
ces.

Petition of Aaron Will- Willard
ard, & others, to have the Lampy on Washington Street
from Dover Street to the Roxbury line placed at suit-
able distances & that the same may be properly main-
tained & lighted. Referred to the Committee on lamps.

Petition of Elipha- Hineau

126. Mr. H. Webb, & others for the use of the Jewish House in
Adham Place for a Sabbath School. Reference to the Com-
mittee on public buildings. Sent down for Concurrence.
Came up Concurred.

Beverly Fraternity
& Church.

Petition of the Executive
Committee of the Beverly Fraternity of Churches for
the grant of a lot of land in the vicinity of Suffolk Street
of sufficient size to enable said association to erect thereon
a free Chapel for the use of the less fortunate classes in that
vicinity. Reference to the Committee on public lands.
Sent down for Concurrence.
Came up Concurred.

Weymouth.

The Committee on Streets
considered the petition of Shallice W. Weymouth & others, In-
habitants of Garden Court Street, to have the name of
Garden Street changed, reported, that they find
the Inhabitants of Garden Street opposed to the altera-
tion of the name & have presented a remonstrance ag-
ainst it, & for this reason the Committee are of opinion
that it is inexpedient to grant the same.
Read & Accepted.

Weymouth.

Ordered, that the further
consideration of the subject of discontinuing the way formerly
leading from Cock Square to Cockbusk Way, so called, and
which lay near the site of the ancient buildings on the
estate now or lately belonging to Charles Grenville.

Pitts, Isaac, Rufus Shays, Isaac, Amasa Nelson, Nathaniel 12;
Soren, J. Kingsbury & Samuel Mannum to preside
at the next meeting of this board to be held on Mondays
next.

Adjourned to Mondays
next: four O'Clock P.M.

At a meeting of the
Board of Aldermen of the City of Boston, held at City
Hall, on Monday, the sixteenth day of April, A.D. 1855.
Present:

The Mayor, and the whole Board of Aldermen, ex-
cept Alderman Sarnam.

The Committee appointed Physician
to confer with the Board of accounts in the subject to give
of the appointment of Physician to the Jail & to the
House of Correction, reported as follows viz: It does
not appear that the power of appointment of physi-
cian has been specifically given by statute to any
Board of officers; & whoever exercises it must do so on the
presumption that it is incident to those powers
given in order to the performance of the same required
or as successors of those who formerly exercised it under a
different municipal organization. With regard to the
House of Correction, it seems natural & right that the
Directors, who are primarily responsible for the man-

125. agreement of the establishment, should exercise the power
of selecting so important an agent in conducting the
prison as the physician; and as there is no other board
to whom the power more properly belongs, & none who
will wish to dispute their exercising it. The Committee rec-
ommend that the choice be hereafter made by that
board. The Jail having no directors particularly
devoted to its care & management, seems more
naturally to come under the direction of the Alder-
men, as the successors of the Council of Sir John; &
a Committee of this board has in fact, always made
provision for many things necessary or convenient
for the safety of the prisoners. The Committee are not
aware of any objection which can outweigh the prac-
tical convenience of this arrangement & recommends
to the board to proceed to fill the existing vacancy by
the choice of a successor to Dr. Flint. All which
is respectfully submitted. For the Committee. Saml.
J. Elliot. Read & Accepted.

Physician
to Jail
chosen

Accordingly to a resolution
the board proceeded by ballot to the choice of Physi-
cian of the Jail, & the votes being taken it appeared
that George W. Otis, Junr. M.D. was chosen.

Assepan

Accordingly to a resolution
the board proceeded by ballot to the choice of Steward
Assepan, & the votes being taken, it appeared that Henry
Bapt. Sumner & Thomas Jackson were chosen.

Accordingly to assign a permanent the board proceeded by ballot to the choice of a person. A list of names & the votes being taken, it appeared that the following persons were chosen, in concurrence with the Common Council:

- | | |
|-------------|---|
| Ward No. 1. | Simon Wilkinson & Frederick G. G. |
| " 2. | Samuel Knapp & John B. Freeman. |
| " 3. | Charles Lincoln & Elijah Stearns. |
| " 4. | Jeremiah Fitch & Benjamin Johnson. |
| " 5. | E. P. Hartshorn & Zach. Fellison. |
| " 6. | Jesse Shaw & Enoch Travis. |
| " 7. | Margaret S. Little & Charles Wilkins. |
| " 8. | William Bramhall & Thomas Curtis. |
| " 9. | James B. Richardson & Joseph H. Thayer. |
| " 10. | Chas. Parker & Jeremiah Little. |
| " 11. | Josiah Vore & Joel Fay. |
| " 12. | Edmund Jackson & Joseph Harris Jr. |

The board proceeded further by ballot to the choice of members of the school & the votes being taken it appeared that James Barry was chosen. School.

The Mayor's mess. Adams & age communicating a vote of the school Committee Franklin respecting the better accommodation of the pupils in Schools. The Adams & Franklin Schools. Referred in Common Council to the Standing Committee on Education.

136. such as the Board of Aldermen might join to consider and report. Came up for concurrence. Read & concurred. and the Committee on public buildings were joined.

Tarquit.

Order of the Common Council.

Resolved, all instructing the Committee on public buildings to consider the expediency of lighting Tarquit Hall with gas. Came up for Concurrence. Read & concurred.

Peasants.

Petition of B. G. Bald-

win & others, occupants of stalls in Tarquit Hall Market House, praying that said house may be lighted with gas. In Common Council referred to the standing Committee on public buildings to consider & report. Came up for Concurrence. Read & concurred.

Taxes.

The Committee to whom

was referred the order to inquire into the expediency of petitioning the Legislature to pass a law authorizing the City to pay County & City taxes on the first of January reported. That it is inexpedient to petition the Legislature. Read & accepted. Sent down for concurrence. Came up concurred.

Snow.

Petition of Ephraim

Snow & others, praying that a City meeting be called on Thursday evening next, at 8 o'clock, at Tarquit Hall, to take into consideration the unprotected state of the City without a regiment of Light Infantry for its protection if a City meeting cannot be

granted, they petition for the use of said Hall, on Monday 13th evening. Read & thereupon ordered, that the Hall be granted to the petitioners as prayed for on Monday evening next.

Order of the Common Council
on committing the memorial of H. S. C. to the Standing
Committee on Water. Came up for concurrence. Read
& concurred.

The Committee on the Hollen.
petition of L. H. Hollen, for a stand at the foot
of South Market Street to exhibit the Ex Libris.
Was reported, that the prayer of the petitioner ought
not to be granted. Read & accepted.

Petition of Edwards Haynes
Haynes, Jr. for leave to plant trees in Front Street
between Cook & Nassau Streets. Referred to the Com-
mittee on paving.

Petition of Thomas Holland
Holland, praying that the Common sewer in Market Street &
Street may be extended through Front Street as far
as may be necessary. Referred to the Committee on
drains & sewers with full power.

Petition of John Simmons.
Simmons, & others, to be relieved from the payment of
assessments made upon them for a common sewer. Referred
in Prospect Street. A. Benjamin & Melzar Dunbar.
in Charles & Pinckney Streets. & Mary Russell

132. in South Margin Street. Reported to the Committee
on drains & sewers.

May
Resolved. That the public
safety & convenience of the Inhabitants require, that the
Lick Square way formerly leading from Lick Square to the back
Westbury Alley so called, & which lay west & south of the an-
cient buildings on the estate now or lately belonging
to Daniel Greenleaf Pitts being Rufus Thayer's heirs,
Amasa Sietson, Nathaniel Tuxen, J. Kingsbury,
& Samuel Hammonds, should be discontinued. And it ap-
pearing to the board, that notice has been given in the prem-
ises to all persons interested, the said way is hereby dis-
continued.

Adjourned to Monday
next, four O'Clock P.M.

At a meeting of the
Board of Aldermen of the City of Boston, held at City
Hall, on Monday the twenty third day of April, A.D.
1832. Present.

The Mayor & the whole board of Aldermen, except
Alderman Tarnam & Gurney.

Fence Viewers
&c.

Ordered, that the persons
hereinafter named, be & they are hereby appointed to
the respective offices following, vizt
Romanus Emerson & Nelson Warbhorn, Fence Viewers

Benjamin Clarke & Benjamin Tucker, cutters of dry goods. 133.
Benjamin Clarke & James Brown, cutters of harness shoes.
Francis James & Samuel Sprague, Inspectors of Stone.
Levi S. Gaurant, Appraiser master. Thomas, Gerrish,
John Vose & William Fisk, Field drivers, Benjamin
Rich, Surveyor of Highways. Thomas, Gerrish, John Vose,
& William Fisk, pound keepers. Sent down for Con-
currence. Came up Concurrence.

The board proceeded Assistant
by ballot to the choice of an assistant assessor for Ward No. 11, in place of Levi Bartlett, who declined serving, & the
vote being taken, it appeared that Sargent S. Little-
hale was chosen in concurrence with the Common Coun-
cil.

Memorial of the Directors, House of
of the House of Reformation. Referred to the Committee Reformation
on the Jail &c. with such as the Common Council may
join, to consider & report. Sent down for Concurrence.
Came up Concurrence, & the Common Council joined on
its part. The Committee on House of Industry, Con-
stitution & Reformation.

Complaint of E. W. Barn, complainant
against, & others, against Thomas Manning, a Watch- against
man. Referred to the Mayors. Watchman.

Application of Nathan Foster
Foster, & others, to have the Common Place repaired in
Hanover Street, between West & Madison Streets.

134. Referred to the Committee on drains & sewers.

Bedman. Petition of John W. Bedman & others, to be relieved from the payment of an assessment made upon them for a common sewer in Washington Street. Referred to the Committee on drains & sewers.

Stacey. Petition of Theodore H. Stacey, for leave to occupy the side walk, Blackstone Street, for the sale of fruit, &c. Referred to the City Marshal.

Mayhew. Petition of Master of Mayhew School, that some repairs may be made to said School house. Referred to the Committee on public buildings. Sent down for Concurrence. Came up Concurrence.

Loring. Petition of Edwards Loring, & others that an alarm bell be placed on Engine House No. 9. Referred to the Committee on fire department.

Chamberlain. Petition of A. L. Chamberlain & others, to have minor street repaired. Referred to the Committee on paving.

Ancient & Modern. Application of the Ancient & Modern Artillery Company for the use of Faneuil Hall, & the usual square in the Company, now for the collection of their Biscuits &c. &c.

niversary, on the first Monday of June next. Read & granted. 135.

The Superintendent of Common
Houses, reported the list of payments of Common
Houses, in Terminal Street, Mount Vernon Street & Cedar
Lane. Read & passed, & thereupon ordered, that said
Superintendent make out the several bills & lodge them
with the City Treasurer for collection.

The Committee to whom Auditor
was referred the estimate of the Auditor, for the expenses Estimate.
of the ensuing year, & of the resources of the City for the
same period. Reported as follows, viz: That it has given
en them much satisfaction to find, that notwithstanding
a considerable increase in the appropriation
for several objects of great importance to the City,
it is still possible by economical retrenchments in other
departments, to keep the amount of taxes to be assessed
the same as the last year. The disposable income of the
City is increased by the sum of \$16,000, being the rent received
for the City Wharf, which has heretofore been appropriated
to the extinction of the debt created by its erection. That
debt being now paid, the income may be used for other
purposes, & the sum both of appropriations & proposed
expenditures is so much the larger than the last year.
The other changes recommended by the Committee are
as follows. The appropriation for the City Watch
is increased \$10,000 in consequence of the addition made
to the number of men employed in that service.

136. Authorized by the last City Council. The appropriation for the Fire Department, exclusive of Engine Houses, is increased \$25,000 an increase caused by the change in the system of the department which took place last year. This amount, however, does not exhibit the actual difference between the expenses of the two systems, as the appropriation for the erection, rent and repairs of engine houses, &c. is reduced \$1000. & that for building reservoirs is reduced \$8000. making the difference between the whole appropriation for the department the last year, & the present \$11,000. The reduction in the appropriation for reservoirs would perhaps have occurred had no change been made, as the City seems now to be nearly, if not quite, supplied with a sufficient number of these important structures. An increase of \$225 is rendered necessary for the payment of certain annuities, & \$1000 for the police of the City, & one of \$2000 in the appropriation for the House of Representatives. Beside these additions to previous appropriations, two new items are added, in conformity with the orders of the present Council; viz: one for the rebuilding of the Civil Service House of \$44,000, & one for the purchase of the estate lying west of the Court House, of \$17,000. making an aggregate of \$56,325 added to the expenditures of the last year. To meet this, besides the \$11,000 additional income before mentioned, reductions are proposed to be made in the following items, viz: in the improvement of the Public Lands \$2000. in the paving & repairs of streets \$5000. in widening & extending streets \$20,000. in the appropriation for the Overseers of the Poor, in their own estimate \$10,000. in that for the House of Assembly, in the estimate of the Directors \$700. & the appropriation for completing the fire works & other improvements round the

Comm. of \$5,000, & that of \$6,000 for finishing the west wing 137.
of the House of Correction, are entirely stricken out, making
the total of the other side of the account \$49,775. and the
balance or \$6,550, may be taken from the reserves fund,
leaving for that fund, for the present year, the sum of
\$5,120. In conclusion the Committee submit the accom-
panying orders. Saml. S. Eliot, Chairman.

The Order relative to specific appropriations.

An order levying a Tax, to defray the expenses of the
City of Boston, & the County of Suffolk, during the next
financial year.

Resolved, That the sum of four hundred & fifty thousand Tax ^{sh. & p.}
dollars be raised, by assessment on the Polls & Estates of the In-
habitants of this City, agreeably to law, to pay the current
expenses of the City of Boston, & the County of Suffolk, during
the financial year which will commence on the first day
of May one thousand eight hundred & thirty eight, and
will close on the thirtieth day of April, one thousand eight
hundred & thirty nine.

Read & accepted in Common Council. Passed. Came
up for concurrence. Read & concurred, with an amendment.
Sent down for concurrence. Came up non-concurred. The
Board of Aldermen afterwards receded & concurred with the
Common Council.

An order making various appropriations,
transfer of appropriations. The Auditor, report on appro-
priations for next financial year. and an order au-
thorizing the Treasurer to borrow money. Reported to Com-
mon Council & the Committee on Finance. Came up for

138. Concurrence. Read & Concurred.

Sax.

An order Copying a tax to defray the expenses of the City of Boston, and the County of Suffolk, during the next financial year. Read & passed in concurrence with the Common Council.

Bent.

Memorial of Adam Bent, & others, respecting the location of the late John Howe's house at South Boston. Referred to the Committee who have under consideration the petition of John Deane.

Ward room

The Committee on public

No. 12.

buildings to whom was referred the application of the school committee for some accommodation for boys in the ward room of Ward No. 12. Reported as follows, viz. They have ascertained that the accommodations asked for at the Franklin School is quite necessary, indeed indispensable while the present number of boys attend that school, & that it can be done at an inconsiderable expense. They therefore recommend that it be forthwith given. With respect to the backs of the seats of the Adams School, the Committee are of opinion that it is a very desirable improvement, not merely adding to the comfort of the children, for several hours every day, but diminishing the danger to health & life which arises from the long continuance of a painfully constrained position. It is an improvement which has been introduced into some of the schools, & the Committee are of opinion that

it is desirable to extend it to all when it is practicable. They 139.
submit the following orders. For the Committee. JAMES
A. ELIOT.

Ordered, That the Joint
Committee on Public Buildings be authorized to provide
a sufficient number of seats in the ward room of Ward No.
12. to accommodate the boys who cannot be properly seated
in the Franklin School House.

Ordered, That the same
Committee be authorized to place back upon the seats
in the Adams School House, & upon those of either of
the other school Houses, where it may be practicable
& expedient.

Read & accepted. Sent down for concurrence.
Came up concurred with this amendment, to wit,
"By adding in continuation of the second order these
words" and that the expenditure under these orders be
charged to the appropriation for Repairs of the Public
Buildings. — Find & Concurred.

The Committee on B. G. Baldwin
Public Buildings to whom was referred the petition of James H. H. H.
B. G. Baldwin, & others, to have Town Hall Market
House lighted with gas, & who were instructed to consider
the expediency of lighting Town Hall in the same
manner, reported as follows, viz. That there can now
be no doubt of the great superiority of the mode of light-
ing by gas instead of oil, & the only question which
seemed to the Committee as all important was, what

146. as the expense attending the introduction of gas into either of the buildings would come within such limits as might be considered reasonable for the object. In order to ascertain this, they obtained from the agent of the Gas Co. an estimate of the cost of the necessary fixtures. And it was stated by him that the apparatus for lighting the market would probably cost about \$200. and that for lighting the Hall in a thorough manner would be about \$800. Under these circumstances, the Committee cannot hesitate to recommend the change in both cases. The accommodation to the great numbers of persons who go to the market on Saturday evenings is worthy of consideration, & the Committee believe that the expense of the gas even including the interest on the outlay for fixtures, will not exceed that of oil on the present plan. while the light will be far more efficient and useful. With regard to Faneuil Hall the Committee feel no doubt of the sympathy of the Council, or of the public, in any project calculated to increase the comfort of those who use it, or the beauty of the Hall itself. & there can be no question that both will be greatly promoted by the brilliant effect of a proper quantity of gas light. The cost seems to them to be no serious obstacle to its being done at any time. They therefore submit the following order to the Committee. *Submitted & Adopted.*

Ordered. That the Joint Committee on Public Buildings be instructed to take the necessary measures to introduce gas into Faneuil Hall & Faneuil Hall Market (A) provided the

expense shall not exceed eight thousand dollars for the Mt.
Farmers & one thousand dollars for the latter Building,
(B) & that the amount (C) be withdrawn from the res-
erved fund for the year 1838-9. Read & Accepted.
Sent down for Concurrence. Came up Concurrence.
with this amendment; A wit. By striking out from
'A to B' & inserting at 'C' these words "expended un-
der this order." Read & Concurred.

Ordered, that the rules Licenses Rules
adopted by the board the last year in relation to ^{licensing}
licenses be adopted for the current year.

Adjourned to Monday
next, four O'Clock P.M.

At a meeting of the
board of Aldermen of the City of Boston, held at
City Hall, on Monday the Thirtieth day of April,
A.D. 1838. Present.

The whole board of Aldermen, except Alderman
Tarnam.

The Mayor being absent Chairman
not by reason of indisposition. Alderman Webster
was chosen by ballot. Chairman pro tempore.

Remonstrance of Sorejoy.

142.) Phillip Surjeon, & others, against a bell being placed in
Engine House No. 9. Referred to the Committee on the fire de-
partment.

Hatch. Petition of Henry Hatch, and
others, to have Dartmouth Street repaired, & that lamps may
be placed in said street, & lighted. Referred to the Commit-
tee on paving & lamps.

Minot. Ordered, that there be paid
to John Minot, keeper of Main's Ford Island, one hundred &
four dollars & forty four cents, in addition to his salary for
the present year, being the amount not paid by, & justly
chargeable to, the Commonwealth for the past year: &
that the same be charged to the appropriation for a ge-
neral wealth, for the next financial year. Sent. Comps.
Concurrence. Came up. Concurred.

Washington. Ordered, that the Com-
mittee on paving be instructed to consider & report what re-
pairs are necessary in the paving of Washington & Fremont
Streets. Said Committee were also instructed to cause Charles
Street to be repaired.

Causeway Street. Motion to instruct the
Committee on paving to cause that part of Cause-
way Street between Warren & Charlestown bridges
to be paved. Referred to the Committee on pav-
ing.

Orange Street. Ordered, that the Com-
mittee on drains & sewers, be instructed to inquire into the
expediency of altering the apportionment laid on the propri-

ctors for extending the common sewer in Orange Street 1113.
in 1832.

The Superintendent of Common
sewers, reported the several amounts of the cost of
constructing & repairs upon the several proprietors.
Read, accepted & thereupon ordered, that said superint-
endent make out the several bills, & lodge them with the
City Treasurer for collection on right Washington Street
from Grant Tavern to West Street. Green Street. Han-
ning Street. State Street. Hull Street & Williams Court.

The Committee on Fin. Appropriations,
unto whom was referred the report of the Auditor on the app-
ropriation for the financial year now just closing, reported
as follows, viz. That it will be necessary to take the balances
remaining on some appropriations to make up deficits, on
others, as is usual at this period of the year, & they accordingly
present herewith an order for that purpose. They also ask leave
to report the customary order authorizing the City Treasurer
to borrow such sums of money as may from time to time
be necessary, in anticipation of the taxes to be assessed on
the first day of May next & which will become payable
in the ensuing autumn. For the Committee. Daniel
A. Eliot. Chairman. Accepted in Common Council and
the order making various transfers of appropriations passed.
Carried up for concurrence. Read & concurred.

Ordered, that the City Treasurer &
Treasurer be, & he is hereby authorized to borrow money on the following

144. Action of the Committee on finance, during the next financial year, any sums of money that may be necessary for the purposes of the City government during that year; provided, that the whole amount be under authority of this order shall not exceed the sum of four hundred and fifty thousand dollars. Came up for Concurrence.
Read & Concurred.

appropriation.

Notice having been received from the Common Council announcing that they had concurred with this board in its proposed amendment to the order relative to specific appropriations. Read again, & this board recedes from its former vote & concurs with the Common Council in passing said order as amended.

North Market Street

Resolved, That the propriety & convenience of the inhabitants require, that all that parcel of land lying west of Merchants Row, north of Fairview Hall east of Cock Square, which was staked out by order of the Mayor & Aldermen in the year one thousand eight hundred & twenty six as a continuation of North Market Street & has been hitherto open & used as a public street of the City of Boston (being of the width of fifty five feet measured from the northerly side of said Fairview Hall) be, & the same is hereby laid out & established as a street of said City.

Regis.

First time

The Committee on the petition of Edward Rogers Jr. for leave to plant his name the edge stone of the sidewalk in Trent Street, between Oak

Nathan Foster, reported, that the prayer of the petition ought to be granted. Read & Accepted.

The Committee on the petition of Elias Kidder, to have an assessment abated for a common sewer in Weymouth Street, reported, that the prayer of the petition ought to be granted. Read and Accepted.

The Committee on the petition of Mary Russell, to have an assessment abated for a portion of expense of laying common sewers in South Margin Street, reported, that one half the amount assessed on the petitioners ought to be abated. Read & Accepted.

The Committee on the petition of Nathan Foster & others to have the common sewer repaired in Waverley Street, between Grob & Richmond streets, reported an order of notice be issued in the usual form returnable on Monday next at 4 o'clock P.M. Read & Accepted.

The Committee on the petition of Samuel Bernard & others, to have the amount assessed upon them for the cost of a common sewer in Buttrick Street, reported, that the petitioners have been notified to withdraw their petition. Read & Accepted.

The Committee on the petition of the owners of drains & sewers to whom was referred the several petitions

146. following. & have petitions abated, for Common sewer,
vizt. Andrew T. Gray, & others, Brattle Square to Elm
Street. & Benjamin & Melzar Dunbar, Charles & Kitchney
Streets. Mudd & Moore, Commercial Street, near Copp's
hill & William Reed, Elliot Street. Also proprietors of
Hines wharf to have the Common sewer extended near the
wharf. & Thomas Villars, to have common sewer in Howard
place extended. Reported that the petitioners have agreed
to withdraw their petitions. Read & Accepted.

John L. Loring The Superintendent of
Public Lands, made his annual report of sales of lands
Report. & the costs on the same. Read & sent down.

House of Industry. The Directors of the
House of Industry annual report of the receipts & expen-
ditures of that Institution, & the numbers, conditions
& employment of its inmates. Read & sent down.

Adjourned to Monday next,
Four O'Clock P.m.

At a meeting of the Board
of Aldermen of the City of Boston, held at City Hall, on Mon-
day the seventh day of May, A. 1838.
Present.

The Mayor & the whole board of Aldermen, except Alderman, W. F. Tarnam.

Petition of Amos Lawrence, Lawrence & others to have a part of Tremont Street macadamized &c, Tremont Street, & the remonstrance of Benjamin Graham against the same. Referred to the Committee on paving.

Petition of Ralph Huntington, Huntington, & others to have Suffolk Street raised. Referred to the Committee on paving.

Petition of Geo. W. Hubbs, Hubbs, & others, to have Charles Street macadamized. Charles Street. Referred to the Committee on paving.

Petition of James Carter. Carter, to be paid for damage to Land & building leased Carl Street, by him, in consequence of extending Carl Street. Referred to the Committee on Streets.

Petition of Samuel Fox. D. Fox, & others, to have a common sewer laid in Suffolk Suffolk Street. Referred to the Committee on drains & sewers.

Petition of Jonathan Hall. J. Hall, Guardian of Anne Jackson to be relieved from the payment of an assessment made upon her for common sewer in Bulwer Street. Referred to the Committee on drains & sewers.

148.

Petition of John Smith, to
Smith. be relieved from the payment of an assessment made upon
him for common sewer in Lynn street. Referred to the
Committee on drains & sewers.

W. Bullard.

Petition of Charles Bul-
lard, for a license to exhibit a painting-called- Cain,
meditating the death of Abel. Referred to the Commit-
tee on licenses with full powers.

Market.

Petition of Darius White
Sands & White & others, occupants of stalls in the Market house for the
sale of fruits & vegetables, praying, that the vendors of
these articles, may be removed from the side walks around
the Market house. Referred to the Committee on the Market.

Tilton.

Petition of John Til-
ton, to be heard before the whole board, respecting his
license as an Innholder. Read & granted next
Monday.

John Sands.

Order of the Common Coun-
cil, regarding the superintendent of public lands, annual
report to the Committee on public lands to consider, & report.
Came up for concurrence. Read & concurred.

Treasurer's

Accounts.

Order of the Common
Council, appointing Messrs. Treasurer, J. B. Llyn & Rich-
ardson, with such as the Board of Aldermen, might join,
a Committee under the 4th section of an ordinance fur-
ther to provide for a system of accountability in the

concerns of the City, to examine, audit & settle the accounts of the City & County Treasurer for the financial year, ending on the thirtieth of April last. Came up for concurrence. Read & concurred. & Aldermen Wetmore and Maynard were joined.

The Superintendent of Cemeteries & Burial Grounds, John H. Bradford Hay meeker, and the City Clerk's reports of moneys received by them in their respective offices, the last quarter ending 30th ultimo. Read and sent down.

The Auditor of accounts, Auditor's report of moneys received by him in his said capacity accounts. The last quarter ending 30th ultimo.

Orders of the Common Report Council, directing that the several reports of the City Clerk, Auditor of accounts, Superintendent of Burial Grounds, Superintendent of public lands & the Highways, of moneys received by them respectively, during the last financial year, be taken from the files & referred to the joint committee appointed to examine & audit the accounts of the City & County Treasurer. Came up for Concurrence. Read and Concurred.

Order of the Common Public Council appointing Messrs. Rice, Munroe, Preston, & others, with such as the Board of Aldermen might join, a committee to consider the expediency of appointing a

156. Commissioner or Superintendent of public buildings
Came up for concurrence. Read & Concurred & Alder-
men Sweeney, Manning & Harris were joined.

Foster.

On the petition of a Pa-

erson from Shaw, Foster & others, to have a common sewer laid,
in Hanover Street, Cross & Richmond streets, and it
appearing to this Board that notice has been given ac-
cordingly to the order passed at the last meeting of this Board,
to all persons interested. And now no person appearing
to object, it is thereupon ordered, that the Committee
on drains & sewers be authorized to have said sewer laid
as prayed for, & apportioning the expense thereof upon
those whose estates shall be benefitted thereby ac-
cording to law.

Shaw.

The Committee to whom
was referred the petition of Robert G. Shaw, & others,
to have a common sewer laid so as to drain their es-
tates between Commercial & Fulton streets, report
that an order of notice be issued, returnable on
Monday next, at 4 o'clock p.m. Read & Accepted.

Common sewers.

The Committee on drains
& sewers to whom were referred the several petitions of John
Wardman, David C. Messey, John Simmons and
others, D. I. Shurtleff & Simon J. Cheever & others, to
be relieved from the payment of assessments made up-
on them for common sewers, reported, that the pet-
itioners have leave to withdraw their petitions. Read & Accepted.

The Committee on the petition 151.

of Maxwell & Moore; to be relieved from the assessment made upon them for a common sewer in Manhattan, but, reported
That the same ought to be abated. Read & accepted.

Ordered, That the City Marshal be directed to cause the encroachments on Flunder Lane to be removed, forthwith. This motion was referred to the Committee on Streets.

The Committee on paving to whom was referred an order, instructing the Committee to cause that part of Causeway Street, between Warren & Charleston Bridges to be paved, reported, that said order ought to pass. Read & Accepted, and ordered accordingly.

The Superintendent of Com-Common Sewers made reports of the costs of constructing these Sewers. Common Sewers in Hanover Street near Fleet Street, and North Ry's St. and the assessment upon each individual benefitted thereby, according to law. Read, Accepted & thereupon ordered, That said Superintendent make out the several bills & lodge them with the City Treasurer for collection.

Ordered, That the Com. C. Street Committee on paving inquire into the expediency of widening D Street from Fourth Street to Broadway.

Agreeably to a Resolution House of Industry
The Chair proceeded by ballot to the choice of Directors. Officers

152. of the House of Industry, & the votes being taken it appeared that Nicholas Child, Thomas Hutton, Joseph Davis, James Means, Daniel Hochman, Artemas Thimons, Thomas A. Davis, Nathaniel W. Emmons & David Nickerson were chosen in concurrence with the Common Council.

House of Correction
Clerks.

Agreeably to appointment the board proceeded by ballot to the choice of Clerks of the House of Correction, & the votes being taken it appeared that Luther Faulkner, George Barracott, Daniel Hastings, William J. Andrews, & Billings Briggs were chosen in concurrence with the Common Council.

House of Correction
Master.

Agreeably to appointment the board proceeded by ballot to the choice of Masters of the House of Correction, & the votes being taken it appeared that Charles Kelting was chosen in concurrence with the Common Council.

Public Lands
Superintendent.

Agreeably to appointment the board proceeded by ballot to the choice of Superintendent of public Lands, & the votes being taken it appeared that Abner Bowme was chosen, in concurrence with the Common Council.

Adjourned to Monday next,
per William T. Smith.

At a meeting of the 153.
Board of Aldermen of the City of Boston, held in
City Hall, on Monday the fourteenth day of May,
1888. Present.

The Mayor, & the whole board of Aldermen, except
Aldermen Farnam & Hayward.

The Committee appointed Treasurers
to audit & settle the accounts of the City & County Treasurers,
during the last financial year, reported, That they find
the accounts are correctly stated, & that there are proper vouchers
for the same. The Committee find, that there has been received
at sundry times since April 30, 1887 for account of the City of
Boston, nine hundred, fifty four thousand, three hundred &
sixty seven dollars, & seventy five cents, & that there has been
paid on the same account, eight hundred seventy four thou-
sand, nine hundred eighty eight dollars and three cents, leaving
a balance due to the City of seventy nine thousand, three
hundred & seventy nine dollars, & seventy two cents. The
Committee also find, that there has been received on account
of the County of Suffolk, twenty seven thousand, six hundred
& fifteen dollars, & twenty three cents, & that there has been paid on
the same account, forty seven thousand, two hundred & sixty three
dollars & ninety seven cents, leaving a balance against the County
of nineteen thousand six hundred & forty eight dollars & seventy five
cents, & leaving a final balance in the Treasury of fifty nine
thousand seven hundred & thirty dollars & twenty eight cents.
And that the notes paid by the Treasurers have been duly
cancelled. The Committee, for W. Hayward, Mayor, & Aldermen

1541 Committee: Read & accepted. Sent down for concurrence
Came up concurred.

Warran.

Petition of Richard

Canton Street. Warran & others, to have Canton Street raised & graded. Re-
ferred to the Committee on public lands. Sent down for
concurrences. Came up concurred.

Fraternity

Petition of the Execs

of Churches. execs Committee of the Fraternity of Churches, claiming
a piece of Neck Land, which the trustees of Neck Land were
authorized in the year 1806, to lay out & assign for a
meeting house lot, to any religious association who shall
first undertake to build & shall erect a place of religi-
ous worship. Referred to the Committee on public lands.
Sent down for concurrence.
Came up concurred.

Godbole.

Petition of G. M. Godbole,

Newman Lane & others, to have Newman Lane widened. Referred to
the Committee on streets.

Rogers.

Petition of William

Ward Street. Rogers & others, to have common sewer taken up and
re-laid in our street, near Bartlett Street. Referred to
the Committee on drains & sewers.

Mann.

Petition of N. P. Mann

& others, to have a pond of water removed from public Bos-
ton. Referred to the Committee on internal health.

Orders of the Common Council 155.

it committing the petition of the Boston Aqueduct Co. Aqueduct
operation, praying that some action may be had on their petition.
memorial, respecting laying down iron main pipes from
Woburn & Boston, to the Committee on Water. Came up
for concurrence. Read & concurred.

Ephraim L. Snow, Auctioneer
Licensed as an Auctioneer, & his bond approved.

Agreeably to assign Auditor
ment the board proceeded by ballot to the choice of an
Auditor of accounts, & the votes being taken it appeared
that William Hayden, Junior, was unanimously chosen.
in concurrence with the Common Council.

Petition of Miram Wright, Wright,
for a license to exhibit the skin of a Hippopotamus, Hippopotamus.
Referred to the Committee on Licenses, with full power.

On the petition of Rob. Shaw.
et G. Shaw, & others, to have a common sewer laid
so as to drain their estates between Commercial & Fulton
Streets - it appearing that notice has been given - ag-
reeably to the order passed at the last meeting, and
now no person appearing to object, it is thereupon or-
dered, that the Committee on drains & sewers be author-
ized to cause a sewer to be laid, if they see fit, provided
the abutters shall pay the expence of the same.

Ordered, That the Committee on
Heller on the fire department be instructed to inquire into the expediency
of placing bells in the several engine houses in the City, &
of discontinuing the use of the Church bells on alarms of fire.

Streets
Ordered, That the Committee
in paving cause the following streets to be repaved viz. Cam-
bridge between Lynde & Bondin Court between Bulfinch
& Sudbury, Washington between Bedford Street & Norfolk Place,
Essex - between Short Street & Oliver place, Elliot Street
between Washington & Tremont -

Serry.
The Committee on the
Cross Street. Petition of Truck M. Serry & others, to have a part of
Cross Street, repaved, reported an order, That the
Committee cause said street to be repaved between
Salem & Endicott Streets.

Johnson.
The Committee on the
Dover Street. Petition of Abijah S. Johnson & others, praying, That
& Dover Street may be properly graded & gravelled,
reported as follows, viz. That the prayer of the petition-
ers ought to be granted, provided the abutters will pay
a portion of the cost of grading said Street, & recom-
mend the passage of the following order. For the
Committee. Thos. Huntington. Ordered,
That the Committee in paving cause Dover Street to
be properly graded: provided Edward Tuckerman will
pay one half of the cost of the same when the work is

completed. Read & accepted.

157.

Resolved. That this Washington Board will on Monday next, proceed to determine, on the expediency of issuing an order of this Board, made the last year, for the widening Washington Street between Beach & Kneeland. so far as said order relates to the estate of Mr. Thomas Brewer.

Ordered, That as Treasurer, message be sent to the Common Council proposing a convention of the two branches of the City Council, on Thursday the 17th instant, at 8 o'clock, p.m. for the purpose of electing a City & County Treasurer for the ensuing year.

John Tilton was heard Tilton. before the board upon the subject of reconsidering its former vote refusing to grant him a license as an Innholder. After a full hearing, the further consideration of the subject was laid upon the table.

Petition of Joseph Hawes. Hawes to be relieved from the payment of an assessment made upon him for a common sewer in Poplar & Chamber Streets. Refers to the Committee on drains & sewers.

Adjourned to Thursday next 7 1/2 O'clock P.M.

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall, on
Thursday the nineteenth day of May, A. D. 1835.

Present:

The Mayor. Aldermen Gurney. Wetmore. Hunting
Harris & Brimmer.

Highways.

Surveys.

Ordered. That the May-

or & Aldermen be, & they are hereby appointed survey-
ors of highways the present year, according to the terms
of an ordinance passed May 9. 1832. And do hereby
concur. Came up concurred.

Message.

A message was receiv-
ed from the Common Council, declaring its concur-
rence in the proposition to form a Convention of the
City Council, this evening at eight O'Clock. for
the purpose of choosing a City & County Treasurer:
In Convention.

Treasurer.

Agreeably to assignment the two branches of
May 18. The City Council met in Convention, in the Com-
mon Council Chamber, for the purpose of elect-
ing a City & County Treasurer. Aldermen Wet-
more, Messrs. Rice & Hammond, were appointed a
Committee to receive, sort & count the votes. Said
Committee afterwards reported that the whole num-
ber was 44.
Necessary for a choice 23.
Richard O. Harris, Esq. had forty four &
he was unanimously chosen.

The business of the Current 157
in being accomplished, the two branches separated.

The board proceeded Burial Grounds,
ed by Callot to the choice of Superintendent of bur-
ial grounds & cemeteries. & the vote being taken, it
appeared, that Samuel W. Graves was unanimously
by chosen. Sent down for concurrence.
Came up concurred.

Adjourned to Monday
next, four O'Clock, p. m.

At a meeting of the
Board of Aldermen of the City of Boston. Held
at City Hall, on Monday the twenty first day of
May D, 1838.

Present.

The Mayor, and the whole Board of Aldermen, ex-
cept Aldermen Hayward & Richardson.

The Mayor nominated Messrs.
Francis Merrifield, Francis Adams, George Reed,
Jas. & Jonas Stratton, as Constables, & Andrew M.
Squire, Henry Blodgett, Ira Gibbs, Thomas B.
Quincy, George J. Webster, & Thomas J. Porter, as

166. Police officers, which nominations were confirmed, and they were appointed accordingly, agreeably to the act of the Legislature passed April 17. 1838.

House of - The Treasurers of the House
Correction. of Correction's last quarterly account of receipts & expenditures. Referred to the Committee on County accounts.

Public building. The Committee who were instructed to consider the expediency of appointing a Commissioner or Superintendent of public buildings, reported, that it is inexpedient to appoint such an officer at the present time, & they ask to be discharged. Read & Accepted. Sent down for Concurrence. Came up & concurred.

House of - The Committee on the
Reformation: Jail, & Houses of Correction, Reformation & Industry, to whom was referred the application of the Directors of the House of House of Reformation for an allotment of land, & the completion of the fence which has been partly erected around their House reported, as follows, viz. That in their judgment it is inexpedient to take any more of the land which has been under the management of the Directors of the House of Industry, from that institution. They believe that the piece which would be enclosed by the picket fence & the one which has been partially erected, would, if the latter were finished on the line which has been more than once decided on by the City Council, be amply sufficient for all purposes of the House of Reformation.

and they therefore recommend that the new fence be comp. 161.
leted by erecting an addition to it on a line drawn south-
erly from the point where it now terminates to the picket
fence. They submit an order to this effect. In relation
to the other subject which was referred to them, viz. the sup-
ply of water for the House of Reformation, the Committee
not having been able to ascertain all the facts, ask for fur-
ther time, all which is respectfully submitted, for the
Committee. Saml. A. Eliot.

Ordered, that
the Committee on the Jail &c. be instructed to cause the fence
around the House of Reformation to be completed on
a line drawn in a southerly direction from the point
where it now terminates, to the picket fence around the pub-
lic land at South Boston. Read & Accepted. Sent
down for concurrence.

Petition of W. H. Ful. Suller.
For a license for his equestrian company to exhibit
it for three evenings on Boston & Lowell Rail road
grounds. Referred to the Committee on license, with
full powers.

Petition of Martin Cooley.
C. Cooley, for a license to exhibit an *Uring Outing*, (Uring Outing,
for three weeks. Referred to the Committee on license,
with full powers.

The Committee on Bullard,
Licenses who had full power, reported, that they have *Hippodromas*,
granted a license to Charles Bullard to exhibit a pa-
inting of Cain, meditating the death of Abel, at No. 17
Tremont Row, & to William Wright, to exhibit the

162. Skin of a Hippopotamus, or River horse. Accepted.

Sully. Petition of John Sully
Ann Street. I have a common sewer laid in Ann Street, north from
Richmond Street. Referred to the Committee on drains & sewers.

Dickson. Petition of James D. Dick-
William Court. son to be relieved from the payment of an assessment for a
common sewers in William's Court. Referred to the Com-
mittee on drains & sewers.

Common sewers.

The Committee on drains
& sewers to whom were referred the petitions of William
Hogers & others to have a common sewer laid in Ann
Street from Bartlett to Page's Court. & of Samuel Q.
Vose. to have a common sewer laid in Suffolk Street,
between Castle & Dover Streets. reported orders of no-
tice returnable on Monday next, 4 O'Clock P. M.
Read & Accepted & ordered accordingly.

Chelsea
bridge.

The Town of Chelsea,
that a bridge be built over Green's Creek in Chel-
sea & the order of notice thereon issued by the Court
of Common Pleas. Referred to the City Solicitor.

Washington
Street.

The motion to recon-
sider the subject of widening Washington Street, be-
tween Stuceland & Beach Streets, so far as the same
relates to the estate of Mr. Thomas Brewer was ta-
ken up & the parties heard, before the board and the

subject was laid upon the table, & it was resolved that 163.
The whole board will view the premises tomorrow 12 o'clock M.

The board took into consideration the petition of Francis Jackson, & others, for the use of Faneuil Hall, on Thursday May 31. 1835, at two o'clock p.m. for the purpose of holding a public meeting of those who are in favor of the immediate abolition of slavery and the slave trade in the District of Columbia; And upon the question of granting the prayer of said petitioners, it was decided in the negative.

The Committee on Hull.
The petition of Jonathan Hull, Guardian of Anne Jackson, to be relieved from the payment of an apportionment for a common sewer in Butolph Street, on account of her age & poverty, reported, that the prayer of the petition ought to be granted. Read & accepted.

The Committee on the Britner.
Petition of Catharine Britner, to be relieved from the payment of an apportionment for a common sewer line in Butolph Street, reported, that the petitioners have leave to withdraw her petition. Read & accepted.

The Committee on the Cochran.
Petition of E. H. Cochran, praying, that Old Martine Street be opened, made a report, & asked to be discharged. Read & Accepted.

Adjourned to Monday next for 12 o'clock M.

164.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday the Twenty eighth day of May, A. D. 1858.
Present.

The Mayor & the whole board of Aldermen, except Alderman Gurney.

Superintendent.

The Board proceeded by Common Sewer Ballot, to the choice of Superintendent of Common Sewers, & upon the vote being taken it appeared that Charles W. Wells was chosen in concurrence with the Common Council.

City Hall.

Order of the Common Council instructing the Committee, to whom was referred so much of the message of the Mayor as relates to the building of a new City Hall & fail to report as soon as practicable a plan or plans for a new City Hall, the estimates for which shall not exceed the sum of one hundred thousand dollars. Came up for concurrence. Read & Concurred.

Boston

Aqueduct
Corporation.

The Committee on water to whom was referred the Memorial of the Boston Aqueduct Corporation, reported, with this conclusion: That it is inexpedient for the City to act upon said Memorial & ask to be discharged from the further consideration of the subject. For the Committee, Saml. A. Eliot, Accepted in Common Council. Came up for concurrence. Read & Concurred.

The Committee to 165.

whom was referred the accounts of the Overseers of the House of
of Correction, reported, that they had examined the same Correction
& found them well vouched & correctly cast. Read and received.
Accepted.

Ordered, That nine tombs Tombs.
be built the present season on the south line of the south
burial ground, similar to the tombs now standing on
said line, & that the Chairman of the Committee
on burial grounds, & the Superintendent thereof be
authorized to make a contract for the same, and
to see that they be built in a workmanlike manner
& with good & sufficient materials.

Petition of John Sears.
Sears, for a license to exhibit living animals on Siding Machines.
the land west of Charles street, on Monday next.
Referred to the Committee on common with full power.

Petition of Ambrose Hayden.
Hayden & others, to have a fence erected in front of
Castle street. Referred to the Committee on paving. Street.

Memorial of the Proprietors of Foster's Wharf.
of Foster's wharf, respecting repairing said wharf,
& cutting off the projection on the north side of the same.
Referred to the Committee on Streets.

Ordered, That the Com. Broad Street.

166. mitter or Streets be instructed to ascertain & report what number of feet in length & breadth should be taken from the westerly or northwesterly side of Broad Street between the late Windmill estate & the north free bridge to widen said Street as the public convenience & interest may require.

Hanover Street.

Resolved. That the safety and convenience of the inhabitants require that Hanover Street be widened near the corner of Friend & said Hanover Street; & the same is hereby widened by taking a piece of Land from the estates of J. G. Shipley's Deeds. Hendall & the land so taken is hereby made a part of the public Street or Highway as follows viz. Beginning at the southerly corner of land belonging to Small Hendall situated on the northwest side of Hanover Street and the northeast side of Friend Street, from thence running Northwest-erly by Friend Street six feet seven inches, then running North-esterly by a line in the direction to the south corner of the First Baptist Church, through Land of said Hendall & land of Simon G. Shipley forty one feet more or less & land formerly of Billings, then running South-esterly seven feet to the present line of Hanover Street, then running Southwesterly by said line of Hanover Street forty one feet more or less to the place of begin-ning, taking from the Land of said Hendall $123\frac{1}{2}$ Squa- re feet & from the Land of said Shipley 154 $\frac{1}{2}$ Square feet, as marked on a plan by S. P. Fuller dated Ma- rch 1st 1826.

Hendall.

Ordered, that there be paid

to Deane Wendell. The sum of four hundred & ninety 16¹/₂ four dollars, in full for 123 ¹/₂ feet of land taken from his estate near Third Street, to widen Hancock Street and to Simon G. Whipple, the sum of four hundred & sixty four dollars, in full for 124 ¹/₂ feet of land taken from his estate next adjoining said Wendell's estate to widen said Hancock Street, on their giving a good and sufficient deed to the City of the same & releasing the City from all damages.

Resolved, That the safe Court Street, by & convenience of the Inhabitants, require that Court Street be widened near the head of Tudbury Street. Therefore ordered that the same is hereby widened by taking a piece of land from the estate of R. G. Shaw, & the land so taken is hereby made a part of the public street or highway as follows, viz. beginning at the northerly corner of a brick building belonging to John Heard, from thence running northwesterly by a straight line seventy nine feet more or less to the easterly corner of a brick building belonging to Samuel Appleton, thence running southeasterly by the fire out line of said Court Street seventy nine feet six inches to the place of beginning; taking from land as marked in a plan taken by A. B. Fuller dated March 14 1835.

The Committee on the Brown Petition of Josiah Brown & others, to have Snow Hill Street widened, reported as follows, viz. That these estates, that project into said Street & which will require to be taken into the street, if it is widened, is covered with dwelling houses & out houses.

105. The operation of widening said street will cut off & derange said dwelling houses, in such manner as to cause great inconvenience to their future use. It will remove several necessities & deprive the owners of any place to put them upon, & ruin the back yards. The travel through said street is not very great, not sufficient at the present time to justify (in the opinion of your Committee) the great expence the City will have to pay for damages said estates will sustain. The paving on said street requires some repairs which the paving committee will probably attend to. This Committee request to be discharged. For the Committee Henry Farnam.
Read & accepted.

Notices of intention of more referred the several notices of intention to build building. of Frederick Tranks, corner of 1 & Third Streets. George Eldin, corner of Ellet & Tremont Streets. J. M. Dexter, corner of Franklin Avenue & Court Street: & Samuel Mellick, corner of Causeway & Friend Streets - reported, that the lines & levels have been given, & no land being required to widen the several Streets. Read & Accepted.

Jackson.

Memorial of Francis Jackson & others, a committee of citizens who petitioned for the use of Faneuil Hall, on the 31st instant, of those opposed to Slavery & the Slave Trade in the district of Columbia, which was denied. The memorialists, now solicit a reconsideration & reversal of the decision of this board. &c. Read, & the board voted, that it is inexpedient

to reconsider its former vote.

169.

The Committee on the Cooley
petition of Martin C. Cooley, for a license to exhibit an Am. surang Cutang,
rang Cutang, who had full power, reported, that a li-
cense has been granted. Read & Accepted.

On the several petitions Rogers,
of William Rogers, & others, to have a common sewer opened Ann Street.
in Ann Street. & Samuel G. Rose, & others, in Suffolk Street. Rose.
And now it appearing that notice has been given accordingly Suffolk Street.
1. The orders passed at the last meeting of this board, and
no person appearing to object. It is thereupon ordered, that
the Committee on drains & sewers be authorized to cause said
sewers to be made as prayed for, at the expense of the petition-
ers.

Ordered, that the Mayor, the Harbour
Committee on Quarantine, with such as the Common
Council may join, be a committee to consider & report
upon the defenceless state of the harbour, & upon the
expediency of petitioning Congress, or instructing our
Representative upon that subject. Put down for con-
currence. Came up Concurred, & the Common Coun-
cil joined on its part. Messrs. Williams, Carter, Harris,
Mr. Allister & Raymond.

Adjourned to Tuesday
June 5th 4 O'Clock p.m.

170.

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall,
on Tuesday the fifth day of June, A. D. 1838.

Present,

The Mayor, & the whole board of Aldermen, except Alder-
man Gurney.

Independence.

Ordered, That the joint
Committee of arrangements for the due celebration of the
fourth of July next, be instructed to prepare a dinner, on
that day, for the members of the City government, to-
gether with invited guests, & the company who perform
military duty, & that the expenses for the same be charged
to the account of incidental expenses & miscellaneous
claims. Passed in Common Council. Came up for con-
currence. Read & Concurred.

Mamm.

The Committee to whom
was referred the petition of N. J. Mann & others, con-
cerning a pond of stagnant water at South Boston,
reported as follows, viz. That they have examined the same
& consider it a nuisance, that ought to be abated, & recom-
mend the passage of the following order. Ordered,
That the City Marshal be directed to notify the owners
of certain lots of land, in the rear of Broadway South
Boston, between B & C Streets now covered with stagnant
water that said ponds will be filled up by the City and
the expense charged to them, unless they cause said nuis-
ance to be removed within ten days. For the Committee
J. H. Hayward. Read, accepted & the order passed.

The Committee on the 17th.

Petition of William Foster, respecting Foster's wharf, report Foster's
ed as follows, viz. That said proprietors the last year pre- Wharf
petitioned the Legislature for permission to extend said wharf
further into Fort Point channel. The City Government
objected to said extension unless said wharf should be car-
ried out on a line with the South boundary of Science Lane.
The object of said objection was to prevent any further
trespass upon the City flats. said proprietors, having already
extended a part of their wharf over them. This part of
said wharf is denominated in said petition the 'I.' said
proprietors having ascertained that they should not be
able to obtain a grant from the Legislature to extend
said wharf without the approbation of the City Govern-
ment, entered into an agreement with said Government
permitting them to cut off said 'I' at their own expense
whenever they thought proper. said proprietors agree-
ing at the same time to carry out their wharf on the South
line of said Science Lane. This agreement was embraced
by the City Government to save the expense of a Law
suit on account of said trespass, after this agreement
was completed, the City Government withdrew their
objection to the extension of said wharf & the Legisla-
ture granted these proprietors permission to extend
the same conformable to said agreement. said pro-
prietors have since extended said wharf so far that
that the 'I.' so called is injurious to their interest.
When a vessel is lying there it extends so far into
the dock that it prevents other vessels from passing

1st 2. & annex them in their business. They have accordingly petitioned the City Government to cut it off. The City Government will undoubtedly cut off said T whenever they want to use said flab, but as that is not the case at the present time it will be no benefit to the City. The Committee are of the opinion that the Government ought not spend \$150. The probable cost of said cutting merely to accommodate said Proprietors, but would recommend that said Proprietors have the liberty to cut off said T whenever they please provided they do not put the City to any expence. for the Committee. Henry Tarnant.
Read & Accepted.

Broad
Street.

Resolved. That the safety & convenience of the Inhabitants require that Broad Street be widened. Therefore ordered that Broad Street be widened near Drake's wharf partly on the west & partly on the east side of said Street & the land taken for said widening to be, & the same is hereby declared to be a part of the public highway as follows viz. East side of the Street. Beginning at the Southwest corner of a wooden store belonging to Andrew Drake, from thence running easterly by the southerly side of said Store six feet. Then running southerly by a line to the front of said Drake's brick dwelling house & measuring thence sixty feet nine inches. Then running westerly six feet nine inches. Then running Northerly by the present line of said Broad Street sixty feet nine inches to the place of beginning; taking from the land of said Drake 38 $\frac{1}{4}$ square feet as marked on a plan taken by J. P. Fuller da.

Ac'd . West side of the Street: Beginning at the 173.
Southeasterly corner of a brick House belonging to Levi
Bliss, from thence running westerly by the southerly side
of said House four feet nine inches then running southerly
sixty four feet more or less to a passage way, then running
easterly five feet eight inches to the present line of said
Broad Street; then running northerly by said present
line of said Street sixty two feet eight inches more
or less to the place of beginning; taking from said
Levi Bliss 100 Square feet, Andrew Drake 100 Square
feet & Arvid 100 square feet of land as marked on a
Plan taken by J. P. Fuller dated .

The Committee to whom Carter
was referred the Petition of James Carter, to be com- Pearl Street.
municated the damage he has sustained in consequence
of extending Pearl Street, reported as follows, viz. That
said Carter occupies as a tenant the Cellar under the
Purchase Street Church for an Iron Store. The condition
of said cellar prior to the extension of Pearl Street was such
that all communication from it, to Broad Street was
liable to be stopped at any moment at the will of the
owners of Liverpool Wharf. It is now placed on a forty
feet street leading from Purchase Street to Broad Street
with a free communication to both. The greatest dam-
age this cellar has sustained has been occasioned by the
owners of Liverpool Wharf occupying this land up to
about three feet from the east door of said cellar thus
by depriving said Carter from taking in & discharging

174. goods at said door, barely the raising of the street has not in the opinion of your Committee been of any damage to said cellar. The reverse it is believed, is the fact that said cellar since the extension of Pearl street, even including the raising of said street, is of more value than it was before. The Committee therefore request to be discharged. For the Committee, Henry Farnam.
Read & Accepted.

Brewer.
Washington
Street.

Ordered, That seventeen hundred dollars be paid to Mr. Thomas Brewer, in full for four hundred & two feet of land taken from his estate near Beach Street, to widen Washington Street, on his giving a good & sufficient deed of the same; he to remove all incumbrances from the line of the street & release the City from all damage. It is further agreed, that said Brewer shall have the privilege of rounding the corner from the Knapp building to the southwest corner of his brick building & place a bow window there, & to use the land until the Knapp building shall be cut off, paying the City one dollar per annum for the same, & provided said Knapp building shall be cut off on or before the fourth of July 1859. Then said Brewer is to allow & pay the City one hundred dollars.

Clap.
Broad
Street.

Petition of Flinn
Clap. & others, to have Broad Street widened near Purchase Street. Referred to the Committee on Streets.

Quac Parker's notice of in. 1/5.
intention to build on Beach Street, & pray to have the line of said Parker.
street run. Referred to the Committee on streets. Beach Street.

John P. Thorne's notice Thorne.
of intention to build, & pray that the line street of C. J. & J. Street.
street may be run. Referred to the Committee on streets.

Petition of Ralph H. Haskins.
Haskins, to leave to widen the side walk Court Street in front
of his estate opposite Court Hall. Referred to the com-
mittee on paving.

Petition of James Bartlett.
Bartlett, & others, praying that a police officer may be
placed in the northern section of the City, to preserve
the peace. Referred to the Mayor.

Petition of Caleb Eddy.
Eddy, & others, in behalf of the Hydraulic Company, pray Hydraulic
ing that the City would subscribe for one third part of Company.
said stock on certain conditions. In Common Council,
referred to the Committee on Water. Came up for con-
currence. Read & Concurred.

Calvin Bailey's account Alien
as Superintendent of Alien passengers, with the much passengers.
exp. Referred to the Committee on accounts. Sent down Superintendent
for concurrence. Came up concurred. account.

176.

An order granting Public lands, to Abner Bourne \$400. for compensation for services rendered by him the last year as Superintendent of public Disposition. Lands in addition to what he received. Referred to Aldermen Turnam, Hunting & Harris, to consider & report.

Salmon.

Petition of John M. Short Street. Salmon, & others, to have Short Street repaired, & that it be called Albany Street. Referred to the Committee on paving.

Woolbrook.

Petition of Daniel Woolbrook, for leave to build arches under the sidewalk, Friend Street. Referred to the Committee on paving.

Cornell.

Petition of Walter Cornell, for leave to take up a piece of lead pipe in Prange Street. Referred to the Committee on paving with full powers.

Yeaton.

The Committee on Benjamin Yeaton's notice of intention of building on corner of Essex & Washington Streets, reported, that said Yeaton has concluded not to build at present.

Hawes.

The committee on Common Sewer the petition of Joseph Hawes to be released from an assessment made upon him for a common sewer in Chamber Street reported, that the petitioners ought to be released from the payment of that part of the assessment which has been laid for the part of the sewer

below his former entrance: Read & accepted. 177.

Petition of S. H. Cla.
Cla. for a fruit stand at the head of the avenue
leading from Cornhill to Brattle Street. Referred to
the committee on licenses.

The Committee on the Sally.
Petition of John Sally to have a common sewer laid down Street
in Anne Street, reported, that the petitioners have
leave to withdraw his petition. Read & accepted.

Adjourned to Monday
next, four o' Clock, p.m.

At a meeting of the
Board of Aldermen of the City of Boston, held at
City Hall, on Monday the eleventh day of June
A.D. 1838.

Present.

The Mayor, & the whole Board of Aldermen, except
Aldermen Gurney & Hayward.

Ordered, That the co- Common
sex respecting entries into common sewers, together with
the proposed amendments be recommended to the same
committee who reported the same.

173

Order of the Common
Barrett's heirs. Council committing the memorial of Esther Huron,
Spit Pond, in behalf of the heirs of William Barrett, respecting
the value of the water power on Spit Pond, and the dam-
age to their establishment of mills. Aye however, in-
case the water should be drawn off from said ponds,
to the Committee on Water. Came up for concurrence.
Read & Concurred.

Brewers.

Memorial of Thomas Brew-
er, stating that he cannot comply with the con-
ditions contained in the order passed the fifth in-
stant directing the sum of seventeen hundred dollars
to be paid him. Read & filed.

Davis

Petition of J. H. Davis,
Court Square, praying that the square around the Court House
be named & called Court Square. Referred to the
Committee on Streets.

Common

Sewers.

The Superintendent
of drains & sewers made report of expenses on the sev-
eral proprietors of the costs of constructing common
sewers in Purchase Street, Staniford Street & Lyman
Place. Read & accepted & thereupon ordered, that
said Superintendent make out the several bills & lodge
them with the City Treasurer for collection.

Alman.

Church
Street.

Petition of Jacob
Alman, & others, for a common sewer in Church Street.
Referred to the Committee on Drains & Sewers.

Petition of George 179.

W. Allen to be relieved from the payment of an apptd. assessment for common sewer in Chamber Street. Referred to the Committee on drains & sewers.

Petition of Robert Fuller.

Fuller, for leave to alter side walk, Stillman Street. Stillman & Shipley & Kincaid for leave to build across under Street. side walk in Hauser Street corner of Friend Street. Referred to the Committee on paving.

The order which House of
passed this board on the twenty first ultimo instruct Reformation
ing the Committee on the jail &c. to cause the fence
around the House of Reformation to be completed on
a line drawn in a southerly direction from the
point where it now terminates to the picket fence
around the public land at South Boston. came up
from the Common Council amended as follows. viz. by
striking out the word, "a southerly" & inserting the
words "an easterly". Read & non concurred. & this
board do so adhere to its own vote, & therefore order
ed, that Aldermen Brimmer, Huntington & Harris.
be a committee to confer with such committee
as the Common Council may appoint on its part.
relative to the subject matter of difference between
the two boards. Sent down for concurrence. Came up
concurred. & the Common Council appointed on its
part Messrs. Williams, Leaven, & Ellis.

180.

Account of the trustees
of the Lunatic Hospital against the City. Ref-
Hospital. erred to the committee in accounts, on the part of this
Board.

Shattuck.

Petition of George C.
North Federal Shattuck, & others, to have a common sewer laid in
Court. North Federal Court. Referred to the Committee
on drains & sewers.

House of

Memorial of the Direct-
Industry. or of the House of Industry, stating that Cyrus Stock-
Cyrus Stockman, well an inmate of that Institution is a person now
compos mentis & incapable of taking care of himself,
& that he is possessed of property, & praying that a
representation may be made to the Judge of Probate
in order that a guardian may be appointed to him
according to Law. Referred to the Committee on
the House of Industry &c. with full power.

Marsh.

The Committee to whom
Fayette Street. was referred the bill of Ephraim Marsh, for repairing
Fayette Street reported the following order. Ordered
that one Hundred & fifty two dollars be paid to Ephraim
Marsh in full for repairing Fayette Street.

Boerne

The Committee to
Superintendent. was referred the communication of Abner Boerne, Super-
Intendant of Public Lands. Reported as follows, viz. That by the
order establishing the salaries of the City Officers, the Superin-
tendent of the Public Lands is entitled to a commission on the

sales made in each year, & that he is not entitled to have \$181.
a deficiency in one year made up in consequence of hav-
ing made large sales the year before. That the sales of pub-
lic lands the past year have been very small so that the
Superintendent's compensation will fall short of four hun-
dred dollars. That the superintendent ought to receive more
pay for his services the past year than he can receive under
the order establishing the salaries of the City Officers. The
Committee therefore recommend the passage of the follow-
ing order. For the Committee, L. P. Grosvenor,
Ordered, That there be allowed & paid to Ulmer Beane,
Superintendent of public lands the sum of four hundred
dollars for his services the past financial year, over & above
the amount of commission on sales & leases to which he
is entitled by the order establishing the salaries of the
City officers, & that the amount be charged to the approp-
riation for the Salaries of City & County officers. Accep-
ted in Common Council. Came up for concurrence.
Read & Concurred.

Ordered, That the Commit. Reservoir.
tee on the fire department take into consideration & report
upon the expediency of paying an order for the construction
of a reservoir to be placed at the intersection of Fourth and
Turnpike Streets.

Ordered, That the Com. Bridges.
mittee on bridges cause the necessary repairs to be made
on the several bridges belonging to the City, provided the
expense of the same shall not exceed the sum of five
hundred dollars.
Adjourned to Monday next, four o'clock, P. M.

182.

At a meeting of the
Board of Aldermen of the City of Boston, held at
City Hall on Monday the eighteenth day of June 1858.
Present.

The Mayor & the whole board of Aldermen.

Auctioneers.

Aaron Ordway & Uriah
J. Clark licensed as Auctioneers, & their several bonds ap-
proved.

Shattuck.

On the petition of George
North Federal & Shattuck, & others, to have a common sewer laid in
Court. North Federal Court. The Committee reported, that an
order of notice be issued in the usual form returnable
on Monday next four O'clock P.M. Read and
accepted.

Common
Sewers.

The Superintendent
of Common Sewers reported the cost of constructing
common sewers in Ann Street near Page's Court, &
one in Hanover Street from Hanover Avenue to
Blackstone Street. Read & accepted, & thereupon ordered
that said Superintendent make out the several bills
& lodge them with the City Treasurer for collection.

Huntington.

The Committee to whom
Suffolk Street was referred the petition of Ralph Huntington, & others,
to have Suffolk street between Dover & Castle streets gra-
ded & gravelled, reported, that the prayer of the petiti-
oners ought to be granted, provided the abutters will
pay one half the cost of the same. Read & Accepted.

Petition of Benj. 183.

amin Smith, & others, to have a common sewer laid in Smith
Tulter Street. Referred to the Committee on drains & Tulter Street.
Sewers.

Petition of Windsor Fay.

Fay & others, to have a common sewer laid in Silver Street. Silver Street.
Referred to the Committee on drains & sewers.

Petition of Elbridge Wyman.

Wyman, & others, praying that a certain establishment for
the manufacture of sugar or molasses, situated at the cor-
ner of Stillman & Haverhill Streets may be removed, the
same being deemed a nuisance. Referred to the Committee
on Internal Health.

The City Treasurer. Mortgage

& Auditor of accounts having certified that ten several discharged
notes of hand, executed by Henry Curtis, promising to pay
the City of Boston, the sum of three hundred seventy five
dollars, the payment of which was secured by mortgage
recorded with Suffolk deeds Lib. 325. fol. 273. have been
fully paid, both principal & interest. Thereupon ordered,
that the Mayor be authorized & requested to discharge
the same on the records.

Ordered. That there be

be paid to Little, Nutt & Geopins, the sum of one thousand
and eighty eight dollars & seventy five cents in full Geopins
for damage done to them by the widening of Tulter
Street, in removing a blacksmith's shop premises &c.
on their releasing the City from all further damage.

184.

The Committee on the petition of J. H. Davis, to have a name given to the places around the Court House, reported as follows, viz. That there is no particular objection to said name, but as the Government are about making great additions to, and around said Court, which will very much improve & alter the present appearance of it, the Committee are of opinion that it is premature to fix a name to said Court until said improvements are completed, & ask to be discharged for the Committee. Henry Farnham. Read & accepted.

Shipley & Wendall

The Committee on the petition of Shipley & Wendall, for leave to build an arch, under the Rice walk on Weaver Street, reported as follows, viz. That there is no objection, provided the petitioners cause a suitable wall to be built to protect the Street, the work to be done free of any charge to the City, & to the satisfaction of the Committee, & to be removed at the pleasure of the Mayor & Aldermen. for the Committee. Thos. Huntington. Read & accepted.

City Hall.

The joint Committee on the erection of a new City Hall, reported, & plans for the same &c. reported as follows, viz. That they have the pleasure in conformity with instructions, to report herewith a plan upon which they have agreed as furnishing suitable accommodations for the City officers presenting an external appearance in which beauty of proportion, & simplicity of ornament is combined, & coming

within the limits of expense mentioned in the instruction 185.
ions. The situation for this building which has been thought
in all accounts the most desirable, is the same, or nearly
the same, as that in which the old court house now stands
in Court square. It will be important & the committee
deem it even necessary, considering the probable growth
of the City, & the extension of the City business, within a few
years, that a little more ground should be covered, than
is now occupied by the Court house: but no difficulty
is anticipated in obtaining possession of the small ad-
dition which may be wanted for this purpose. The
Committee have thought that this location would pre-
vent the avenues around the New Court House from
becoming thoroughfares for carriages, while a pass-
age for the convenience of persons on foot could easily
be secured over the first floor of the New Hall. The
plan now presented to the council was not the only
one which they examined but was selected from
six which were offered, as combining better than ei-
ther of the others, convenience of internal ar-
rangements, with elegance of exterior. If built in the
usual style of such edifices, it could be erected prob-
ably for a sum several thousand dollars less than
the one named. Some of the Committee however have
thought it might be expedient even if the expenses
should somewhat exceed \$100,000. to make the build-
ing entirely fire proof, by constructing the floors of
stone supported on iron frames. This is merely sug-
gested for the consideration of the Council. It will

18b. be seen that safes of the ordinary construction are provided for, which may perhaps be deemed sufficient, as they are to be built from the cellar, for the security of the papers. It will be the less important to provide for any unusual construction, if the Council should adopt the plan, which the Committee have voted to recommend, of removing the Court of Probate & the Registry of Deeds into a separate building, to be placed on part of the site now occupied by the building known as the museum. Some provision for these offices is necessary before the first step can well be taken towards the erection of a new City Hall, by removing the old Court House, and the Committee will conclude by offering such orders, as will bring the whole subject before the Council, merely adding that if any action is had upon the subject, an early decision is, at this season of the year, particularly desirable. For the Committee. Saml. A. Eliot.

Ordered, That the Committee on the erection of a new City Hall be instructed to present to the Common Council a plan for the erection of a fire proof building (on that part of the Museum estate, which shall be left after the Mayor & Aldermen have laid out such passage ways as they may deem expedient), for the accommodation of the Court of Probate & the Registry of Deeds & in the mean time to provide such temporary accommodations for these offices as may be suit-

also.

Ordered, That the same Com- 187.
mittee be further instructed as soon as such temporary
accommodations can be obtained, to remove the building
on Court Square, known as the Old Court House, and
to sell such part of the materials as may not be
wanted for the erection of a City Hall.

Ordered, That the same
Committee be authorized to receive proposals for the
erection of a City Hall according to the plan now
presented to the City Council, & to contract for its
erection, as soon as the necessary arrangements
can be made. Read, accepted & the orders passed
Sent down for concurrence.

The Committee on the Harbour
defenceless state of the Harbour, reported as follows.
viz. That a sub-committee was appointed to visit the
works of Fort Independence & confer with Col. Thayer,
the Superintendent, & ascertain the facts of the
case. They did so, & found that the amount of expendi-
ture contemplated upon that Island is about \$500,
000 of which about one third has been spent. It
has been so judiciously used that the officers direct-
ing the works seemed to be of opinion, that, if vigorously
by prosecuted the present season, the Harbour would
cease to be in that absolutely defenceless condition
in which it has so long remained, one side towards
the water is nearly completed & another is in pro-
gress, while the remainder of the works, which are

188. To be erected towards the land, may be finished at less expence & with more speed, about ninety men were found to be employed on this Island, but would not be able to continue in such force more than a month, or six weeks longer, unless a new appropriation be made by Congress for the purpose, on Georges Island the Committee found the works abandoned already, not more than Six or Eight men being employed. About one third of the whole expence has also been laid out upon these works, & if they are delayed for want of an appropriation this year, great injury to them will be the necessary consequence, as well as a continuance of the exposed state of the Harbour. Under these circumstances, thinking that no time was to be lost, & anticipating the probable action of the Council, the Chairman of the Committee immediately addressed a letter to our Representative in Congress, pressing the subject upon his attention, another to Mr. Webster, & a third to Hon. Levi Lincoln, formerly Governor of the Commonwealth. Copies of these Letters accompany this report. It was believed that this course would be found, in the present state of business in Congress, quite as efficient & useful as a direct petition to that body, if not more so, & the Committee have only to recommend the adoption of the following order, to authorize the step taken in the matter. For the Committee. Saml. A. Eliot. Ordered That the Mayor be instructed to address the Representative in Con-

gress for this district, urging upon his attention the importance of 184.
obtaining a suitable appropriation for the defensive works in
Boston Harbor, & also to request the co-operation of such other mem-
bers of Congress, as he may think expedient. Read & accepted.

Shut down for Concurrence.

Concurrence

The Committee on the Jackson.

Petition of Charles Jackson, to have the amount of a sum of money
paid into the Treasury for a tax, which he avers was unjustly assessed
upon him, reported as follows, viz. That the petitioner claims
of the City the sum of two hundred & twenty one dollars, & 100
being the amount of a tax illegally assessed, as he says, on his
personal estate, the last year, & by him paid into the City Treas-
ury. The Committee believe that the facts in the case are as
follows. Judge Jackson has owned & occupied during the
summer months, a house in Brookline, the last three years,
he did not however for the two first years leave Boston
until after the first of May in the year 1837. He left Boston
with his family during the last week in April, & continued to
reside at Brookline till October & was taxed there for his
personal estate. It appeared also that the residence in
Boston was not entirely closed, while the petitioner was at
Brookline, a domestic having been left in the house to
take care of it, & it also appeared that Judge Jackson
& his family, occasionally, in their visits to the City, went to
the house. Your Committee believe the foregoing to be all
the material facts; & after a careful attention to them, they
are decidedly of opinion that on the first of May 1837 the
domicile of the petitioner was in Brookline & that
therefore any tax assessed, in this City, on his personal

196. estate was illegal & may be recovered back by a suit at Law if it has been paid into the City Treasury. They find also that the sum of two hundred & one dollars & 74/100 has been paid, under duress, by the petitioner, as his personal tax for the above mentioned year & that he has a legal claim on the City for that amount & they therefore offer the following order for the Committee Thos. Wetmore. Ordered that there be paid to Wm. Charles Jackson two hundred & one dollars & 74/100 the same being the amount of a tax assessed on his personal estate for the year 1837. & having been by him paid to the City Treasurer. & that the same be charged to the appropriation for incidental expenses & miscellaneous claims, provided however that said Jackson discontinues an action now pending for said amount & save the City from all costs. Read & accepted. Sent down for concurrence. Came up nonconcurrent.

Probate office.

Communications were received from the Judge & Register of Probate & the Register of deors. respecting their offices. & that a separate fire proof building may be erected on the museum land for their accommodation. Read & referred to the Committee on the subject of building a new City Hall. Sent down for concurrence. Came up Concurred.

Adjourned to Monday next, four O'Clock P.M.

At a meeting of the 191.
Board of Aldermen of the City of Boston, held at City
Hall, on Monday the twenty fifth day of June, 1835.
Present.

The Mayor, & the whole Board of Aldermen.

Esq. Weston, Junior was City Marshal.
nominated & appointed City Marshal.

Daniel Rhodes was Clerk of
nominated & appointed Clerk of Town Hall & Market Town Hall.

Agreeably to a signed Consulting
ment the Board proceeded by ballot to the choice of five Physicians.
Consulting Physicians, & the votes being taken, it ap-
peared that Doctors John C. Warren. George Hayman.
John Randall. George C. Shattuck & Jacob Big-
elow were unanimously chosen. Put down for
concurrence. Came up Concurred.

Ordered, that the City Hall.
Committee on the subject of erecting a new City Hall.
be instructed to ascertain whether the land & buildings
situated in the vicinity of the Old Court House, belong-
ing to the estate of Asa Richardson, deceased can be
purchased, & if so, at what price; & also to prepare
& report as soon as may be, additional plans, mod-
els, specifications & estimates of cost of such proposed new
City Hall, passed in Common Council. Came up

192. for concurrence. Read & Concurred.

James.

Petition of C. James, for
an abatement of taxes, Referred to Aldermen Farnam,
Wetmore & Brimmer, with such as the Common Council
may join, to consider & report. Sent down for concurrence.
Came up concurred & the Common Council joined on its part
Messrs. Williams, Jopelyn, Gordon & Curtis.

Shen.

Petition of David Shaw,
Sun Court Street & others, to have Sun Court Street continued from Ann
to Commercial Streets. Referred to the Committee on
Streets

Dana.

Petition of Samuel Da-
Chardon Street, na & others to have Chardon Street widened. Referred
to the Committee on Streets.

Hayden.

William Hayden, Jr. not.
Wilson Sansee of intention to build on Wilson Lane, & Samuel P.
Adams on Distic house square. Referred to the Com-
mittee on Streets.

Shattuck.

On the petition of George
North Federal Court, C. Shattuck, & others, to have a common sewer laid in
North Federal Court. And now it appearing that notice
has been given agreeably to the order passed by this board
on Monday last, & no person appearing to object, it is there-
upon ordered, that the Committee on drains & sewers
be authorized to cause said sewer to be laid, as prayed
for, if they shall deem it expedient.

Petition of Samuel 193.

C. Wilkins, for leave to build a small dwelling house Wilkins.
with wood on a lot of land near Malden Street. Referred
to the Committee on the fire department.

Petition of Grant & Grant & Daniel.

Daniel, & others to have the pump in York square put Pump York square
in order. Referred to Aldermen Gurney & Hunting.

Petition of Timothy Cory.

Cory, praying that James S. Crockett, may have stall Crockett.
No. 96 in Faneuil Hall Market for the sale of vegetables
& fruit. Referred to the Committee on the market.

Petition of Winslow Winslow & French.

& French for the use of Stall No. 15 in Faneuil Hall
Market, referred to the committee on licenses with
full powers.

Notice having been Jackson.

received that the Common Council had ~~unanimously~~ Committee of
conferred with this board accepted the report of the Conference
Committee on the petition of Charles Jackson, to have
the amount of a certain tax refunded to him. This board
does adhere to its own vote, & thereupon ordered,
that Aldermen Farnam, Maynard & Drimmer be a
committee to confer with such committee as the Common
Council may appoint on its part relative to the subject
matter of difference between the two boards.

194.

A Communication was
Common Council received from the Common Council, that John B. Russell
member resigned a member of said Council from Ward No 8 had resigned.
Thereupon ordered, that a warrant be issued for a meet-
ing of the Inhabitants of said ward, on Monday next 12 O-
Clock M. for the purpose of filling said vacancy. The
poll to be kept open until three O'Clock p.m.

Davis

Petition of William G.

Davis, & others, that a certain shop situated on the
corner of Court & Judbury Streets, occupied by one Col-
ins & used as a grog shop, & deemed by the petition-
ers as a nuisance, may be abated. Referred to
the Committee on Internal Health.

Clapp

The Committee on the

Broad Street. Petition of Henry Clapp & others, praying, that Broad
Street near the junction of Purchase Street may be wide-
ned, reported as follows, viz. That it requires about one thous-
and feet of land to be taken from the south side of said
Street to make it 50 feet wide. The width of said Street from
Purchase to Summer Street, that a part of said land is
^{now} covered by permanent brick buildings, & according to
the best estimate the Committee can make of the expence,
It will cost the City from eight to ten thousand dollars to
complete said widening. That there is much travel with
heavy loaded trucks through said Street & that it would
be a great public benefit to have said Street widened.
But the Committee have considered the large am-

cost of money paid & to be paid the present year 195
on account of Washington. Fulton. Beach. Court,
Maunder & Broad Streets. The avenue to the west of
the new Court House, & the contemplated City House,
are of opinion that this expence ought not to be incur-
red the current year & ask to be discharged for the
Committee. Henry Tarnham. Read & accepted.

The Committee on the subject Primary
of building primary school houses, reported as follows, viz. That schools
said documents contain a full & exact description of all the Houses
of the Primary Schools within the City. This is a remarkable
display of the zeal & patriotism of the Inhabitants. These
Schools are of the highest order, & calculated for the
youngest class of children. It appears that through-
out the City there are nine Primary School Districts
containing Eighty Primary Schools, including one
on the Mill Dam & two at East Boston. Thirty one
of them are in excellent rooms, being the property of
the City. These schools number nearly six thousand chil-
dren a large portion of whom would not be furnis-
hed with education unless it was almost ^{Primary School} upon them
The Committee now ask for the right to erect new school
Houses for the ensuing year. The appropriation however for
that purpose will not permit it. The cost of each is from
3500 to \$4000. The amount appropriated is but \$12,500.
Three buildings only can be erected the present year. It
became important therefore to ascertain which Districts
were most in want of them. accordingly application

196. was made to this Committee Men for the purpose. The answer to this inquiry is that District Nos. 3, 4 & 5 are the most deficient. This Committee have accordingly examined with great care these three Districts for suitable lots & locations, & the following lots are recommended for the purpose to wit. For District No. 3. a lot on May Street owned by John Cushing price \$2000. For No. 4 a lot on Spring Street Place price \$3000. This lot has a new brick building on it which is very well calculated for a School House & will require but three or four hundred dollars to fit it for the purpose. It is owned by the heirs of Tristram Haines, and the refusal of that & the other lot is obtained. For No. 5 the Committee recommend the vacant lot which is owned by the City lying to the eastward of the Fort Will Mall. It is not probable that the City will make any other use of this lot, & the location is just where it is most wanted. no good reason therefore can be offered why the City should not make use of their own land for the purpose instead of giving \$2000 for a lot very near it. With these remarks the Committee recommend the passage of the accompanying order which they have prepared & now submit. For the Committee. Henry Furness

Ordered, that the joint Standing Committee on Public Buildings be authorized to build the present year. Two Brick Primary School Houses, & to alter a brick building on Spring Street Place for another, & that the joint Standing Committee on Public Land, be authorized to pur-

Chase a lot of land on May Street for one of said 197.
School Houses, & the lot & building thereon situated
on Spring Street. Place for another. The other School
House to be placed on the City land on Fort Street, West
& accepted, & the order passed. Sent down for concurrence
Came up Concurred with amendments. Read & Concurred.

The Committee on paving Willard.

To whom was referred the petition of Aaron Willard, & others,
to have side walks laid, in front of the City land, in Wash-
ington Street, south of Goddard Street reported, an order
authorizing the Committee on paving to cause the side
walks, aforesaid to be paved when the ground is suitable
for paving, & the remainder to be repaired & gravelled.
Read & Accepted.

The Board took into con- sideration

The Board took into con- sideration its former vote passed Feb. 19, 1833, naming the Square,
square at the head of Cornhill Street contiguous to Court
Street & Tremont Street, near Scott's building. Kim-
berton Square, and the Board reconsidered the same in con-
sequence of the naming the square formerly Phillips's
Square - Kimberton Square & thereupon ordered that
the first named square be named Scott's Square.

The Committee on paving Hudson.

To whom was referred the petition of Benjamin Hudson & others,
to have Endicott Street, between North Market and
Causeway Streets paved, reported an order authorizing

175. said Committee to cause the same to be done. Read & Accepted:
Adrien

Petition of Mrs. Aldrien for a license to ex-
hibit her goods and wares at Trinity Hall. Reported to the Committee & license granted.
Full power.

Eleven O'Clock A.M.

Adjourned to Saturday next.

At a meeting of the Board
of Aldermen of the City of Boston. held at City Hall. on
Saturday the Thirtieth day of June. A.D. 1858.
Present.

The Mayor & the whole board of Aldermen

Shipley.

Ordered, That twenty three
dollars be paid to Simon B. Shipley, in addition to the sum order-
ed to be paid him, by an order passed this board on the 22nd day
of May, last, in full for seven & three quarters feet of land
taken from his estate near Second Street, to widen the same
and Street, on his giving a good & sufficient bond of indemnity
& releasing the City from all damages.

Hayden.

The Committee on the note
Wilson Lawrence of Mr. Hayden & of his intention of building on Wilson's
Lane reported, that said Hayden be allowed to build on
the same line, that his former building stood upon, & that
he be allowed to construct arches under the side walk,
under the direction of the Superintendent of Streets.
Read & Accepted.

Ordered, that an order of notice 199.

be issued to all persons interested to appear in this cause at 10 o'clock
on Monday the ninth day of July next, at the Common Street
Sewer leading from Charles Street to the water by the Baptist Church.
Should not be relaid, & also extended to low water mark,
& the expense thereof apportioned according to law, on all persons
benefitted thereby.

Whereas it appears to this board, Worth
that certain tenements used as dwelling houses, situated Federal
in North Federal Court, are not provided with suitable Court
drains, for carrying off the waste water, & that thereby nuis-
ances exist in said tenements. It is therefore ordered, that
notice be given to the several owners of said tenements, or
their agents, (as is prescribed by an ordinance of the city)
requiring said owners or agents, to cause a proper & sufficient
drain to be constructed in such tenements within ten
days from the date hereof.

Petition of Calvin Buel Bullard.

Said petitioner, praying that a cesspool may be made near
the place where the top water enters the Common Sewer
at the bottom of Summer Street, in order to remove the nus-
ance caused by the stench of said river, & for the
Committee on drains & sewers with full power

next, from 11 o'clock 2 m.

200.

A meeting of the Board
of Aldermen of the City of Boston, held at City Hall,
on Monday the second day of July. A. D. 1838.

Present.

The Mayor, & the whole Board of Aldermen

Armories

Order of the Common Council
Council Hall, appointing Messrs. Austin, Curtis, Chapman, Brewster,
& Thompson, with such as the Board of Aldermen might
join, a committee to enquire if any measures are requisite
to be adopted in relation to the several rooms in Council
Hall now occupied by the Light Infantry Companies which
have been disbanded by the Governor & Council. Came
up for concurrence, Read & concurred, and the Mayor
Aldermen Tarnum & Winthrop were joined.

Courts.

Petition of the Heirs at law
of Ambrose S. Curtis, deceased, respecting certain
legacies bequeathed to the City in & by the last will
of said deceased, on certain conditions therein speci-
fied & praying an interview with a committee of the
City Council, for the purpose of effecting a compro-
mise of the same, as authorized by a resolve of the Leg-
islature. Referred to the Mayor, Alderman Tarn-
um & Wetmore, with such as the Common Council
may join, to consider & report. Put down for con-
currence. Came up concurred, & the Common Coun-
cil joined the Committee in finance on its part.

Memorial of Edward Stuck 201.

man concerning the completing the level of Dover Street. Suckerman.
Referred to the Committee on paving. Dover Street.

Petition of Francis C. Sorrell.

Sorrell, that the City would complete the contract made with him in the year 1832, respecting the laying out & opening out street thro' his land. Referred to the committee on paving. Belmont Street.

Petitions of Henry G. Clark.

Clark, & others; Edward Sargent, & others; & James H. San Court Bennett, & others. to have San Court street continued through Street to Commercial Street. Referred to the Committee on Streets.

Memorial of L. M. Sargent Sargent &

& David R. Griggs offering to the City a piece of Griggs. Land for the purpose of continuing the street called Suffolk Street to the Waterbury line, provided the same shall be completed in twelve months. Referred to the Committee on Streets.

Petition of Thomas W. Has Waskins

kins, & others, to have a common sewer removed, which runs under their stores in Dock Square. Referred to the Committee on drains & sewers. Dock Square.

Petition of Thatcher Raymond.

Th. Raymond that a common sewer may be made to drain his estate corner of Cross & Waverley Streets. Referred to the Committee on drains & sewers.

Curtis
Stanford
Street.

Petition of Samuel Curtis,

& others, who relieved, from the payment of assessments made upon them, for a common sewer in Stanford Street. Referred to the Committee on drains & sewers.

Arnold.

Broad
Street.

Petition of Joseph Arnold,

& others, that a common sewer be laid through so much of that part of Broad Street formerly Sea Street lying between the bottom of Summer Street & East Street as will accommodate their respective estates. Referred to the Committee on drains & sewers.

Dana
Grove Street.

Petition of the heirs of Sam-

uel Dana, deceased, who relieved from the payment of an assessment made upon them, for a common sewer in Grove Street. Referred to the Committee on drains & sewers.

Bradlee.

Fort Will.

Remonstrance of Ann

Bradlee, & others, against having a primary school house built on Fort Will. Read & put down.

City Wharf.

Communication from

the Superintendent of Streets, representing that the Store House on the City's wharf, Commercial Street is in a very dilapidated state, and recommending that a new building be erected thereon, for the purpose of depositing lumber & other materials. Referred to the Committee on public buildings & put down for concurrence. Came up & concurred.

Memorials of Charles 203.

Wendley & Simon C. Hewitt, concerning a cellar into Wendley's
in City Hall, recently occupied by said Wendley. Ref. Hewitt,
sent to the Committee on public buildings. Sent down
for concurrence. Came up Concurred.

Ordered, that the Com^{rs} Hawes
on burial grounds & cemeteries, inquire into burial grounds.
the expediency of causing a fence to be placed on the
front line of the "Hawes burial ground" so called.

The Committee on the Corey
petition of Timothy Corey for leave to let James
S. Crosett occupy his stall No. 96. in Faneuil
Hall Market. Reported, that there is no objection.
Read & Accepted.

The Committee on licenses Adrien,
to whom were referred the application, for license to
perform as an equestrian & of Adrien to exhibit magical
deceptions &c. reported that they have granted them licenses.
Accepted.

The Committee on the petⁿ Abbot,
ition of Timothy Abbot, & others, for a Common sewer at South
South Boston, reported, that it is not expedient at the present
present time to grant the prayer of said petition, there be-
ing so few estates, which will be benefitted by the same.
That nearly all the expense of constructing it, which
will be nearly two thousand dollars, cannot be applied
on individuals for a long period of time. Read & Accepted.

204.

The Committee on the petition
of Windsor Jay & others, for a common sewer in Silver
Street reported, That it is not expedient to lay the same,
at the present time. Read & Accepted.

Ulman.

The Committee on the peti-
tion of Jacob Ulman, & others, for a common sewer
in Church Street reported, That Church Street is private
property & not a public street, & therefore it is not expe-
dient to lay a common sewer as is requested, & that
the petitioners have leave to withdraw. Read and
Accepted.

Holtbrook.

The Committee on the petition
of Daniel Holtbrook for leave to build, arches under
the side walk, in Friend Street reported, as follows,
viz. That there is no objection provided the work be
done to the satisfaction of the Committee on paving &
of any expense to the City, & to be removed at the pleas-
ure of the Mayor & Aldermen. For the Committee
tho. Mounting. Read, & Accepted.

San Court

Street.

Resolved, That the whole
board view San Court Street, tomorrow morning
Eleven O'Clock.

Adjourned to Monday
next four O'Clock P.m.

At a Special meeting of 205,
The Board of Aldermen of the City of Boston. Held
at City Hall, on Thursday the fifth day of July,
A. 1888. Present.

The Mayor: Aldermen Tarnam, Wetmore, Hunting
Harris & Brimmer.

Resolved, That the Thanks Crater,
of the City Council be presented to the Rev. Hubbard Thanks to,
Winston for the eloquent & patriotic oration del-
ivered by him before the Municipal authorities,
on the fourth instant, being the anniversary of
American Independence, & that the Mayor,
be requested to ask of him a copy for the press
Sent down for Concurrence. Came up concurred.

Resolved, That the Thanks Boston
of the City Council be presented to the Boston Six-Sixth Infantry.
Six Infantry company for the highly accep-
table manner in which they performed the
duty of voluntary escort of the municipal
procession on the fourth instant. Sent down
for Concurrence. Came up Concurred.

Resolved, That the Thanks Old South
of the City Council, be presented to the choir & Church
& organist of the, Old South Church, for their
skilful & appropriate performance of the select-
ed pieces of music, at the municipal celebration
at said church on the fourth instant. Sent down

206. *for Concurrence. Came up. Concurred.*

*Adjourned to Monday
next, four o'clock p.m.*

*At a meeting of the board
of Aldermen of the City of Boston, held at City
Hall, on Monday the ninth day of July, 1838.*
Present.

*The Mayor & the whole board of Aldermen,
except Alderman Hayward.*

Auctioneers

*Whitwell & Graves Licensed as
Auctioneers & their bond approved.*

Arnold.

Broad Street.

*The Committee on the
petition of Joseph Arnold & others, for a common sewer
in that part of Broad Street (formerly Sea) reported
that an order of notice, be issued & published in the
newspapers, to notify all persons interested to ap-
pear before this board on Monday next four o'clock
p.m. & show cause, if any they have why the prayer
of said petition should not be granted.*

*South
Cove.*

*Petition of the South Cove
Cooperation for the acceptance by the City of
the streets extended through its land, being continuation*

of Eliot & Lincoln Streets. Referred to the Committee 207.
on Streets.

Petition of Josiah Knapp, & others, Knapp's.
That the name of Kneeland Street be changed to Eliot & Kneeland
Street; & that the whole avenue running from side to side
side of the City, may bear the same name. Referred to
the Committee on Streets.

Petition of Andrew Lloyd, Lloyd.
to construct arches under side walk Poplar Street, Poplar St
& G. M. Dexter, Court Street & Franklin Avenue. Ref-
erred to the Committee on paving.

Memorial of W. B. Kendall, Kendall.
all respecting the Lofts hired by him in the Market
House. Referred to the Committee on public buildings.
Sent down for concurrence. Came up concurred.

Petition of Henry Curtis, Curtis.
Praying, that the lines of his Lot of land on South South Bridge
Bridge & Trent Streets may be run, & that the com- Front St.
mon sewer which now runs through his lot of land,
may be removed & placed in another direction. Ref-
erred to the Committee on drains & sewers, & also the
Committee on Streets.

Petition of John Q. Williams, Williams.
to have a drain constructed in the passage way through
the stores in South Market Street, to connect with
the common sewer. Referred to the Committee on
drains & sewers.

The Superintendent of Common Councils.

203. Jowers, reported appointments for constructing common sewers in Pine Street & Fruit Street. Read & accepted, and Hercupson ordered, that said Superintendent make out the several bills & lodge them with the Treasurer for collection.

Market Stalls.

Winston & French

The Committee on the Market, to whom were referred the petition of Winston & French, praying that the City would lease to them Stall No. 15. in the market house, & the remonstrance of Lewis H. Gay, against the same & praying that said stall may be leased to him, reported that the prayer of said Winston and French ought to be granted. Read & laid on the table.

Market Stalls

Ordered, That the Committee on the Market report to this board, whether any stalls in the Faneuil Hall Market are underlet, contrary to the ordinances in such case made & provided.

Emery.

The Committee on the petition of Charles Emery, to be paid for land on which a reservoir has been sunk in Arden Place, reported as follows, viz. That the City Solicitor has given his opinion which accompanies this report, that said Emery has a legal claim against the City for all damage he has sustained by sinking said reservoir. The question therefore is what damage has said Emery sustained by sinking said reservoir. The Committee are of the opinion that he has received no damage, but to settle this troublesome claim which has frequently been presented to this

Board. The Committee have prepared & recommended 209.
The passage of the accompanying order. For the
Committee, Henry Tarnam. Ordered,
That Twenty dollars be paid to Charles Ever in
full for all damage sustained by him in conseque-
nce of sinking a reservoir at the head of Iron
Place in this releasing the City from all damages.
Voted, Accepted & the order passed.

Ordered, That the Committee Brewers
on laying out & widening Streets to prevent all & every Washington St.
claim for the damages caused by taking the Land
of Thomas Brewer to widen Washington Street under
a resolve passed be instructed to erect
a new front to the building which will remain af-
ter said widening shall have been made conform-
ably to a plan submitted to this board by
Provided, however that all persons interested in said
Estate shall consent that said work shall be done
by direction of this board & shall release all their
claims for damages founded upon the taking said
Land under said resolve, which new front shall be
erected under the direction of who is
authorized to expend a sum not exceeding seven-
teen Hundred Dollars for this purpose it being fully
understood that all further expense required to
execute the work according to said plan shall be
at the sole cost & charge of those interested in the
Estate & the City shall not in any event be charged.

216. able beyond said sum of money above mentioned
paid & paid.

Sargent & Griggs.

The Committee to whom was
Suffolk Street, referred the memorial of D. M. Sargent & David R.
Griggs, relative to the extension of Suffolk Street; rep-
orted, as follows, viz. That in the range of said Street the
proprietors of the soil, either by themselves or by selling
clay to others, have sunk deep clay pits, probably for
the manufacturing of bricks. It will therefore be a
very expensive job to fill up said pits to the level of
said Suffolk Street, but provided the ground was
level, it would be no public benefit to extend said Street
at the present time, in fact it would rather operate
as a nuisance, as the dividing line between the City
& Newbury at this particular spot is nothing but a
filthy creek filled with water, mud & mire. in a
dark night therefore it would serve to decoy the trav-
ellers into said filthy mire unless it was guarded
by a substantial fence. but if the Town of Newbury
could be induced to extend said Street from said di-
viding line over their own territory to their Main
Street it certainly would be a public benefit to both
Newbury & Boston, & would then justify the City Govern-
ment to be at considerable expense to extend this Street
to said dividing line. it would furnish another con-
venient avenue to the City, but the present offer of
surrendering a portion of land to extend said
Street is altogether of an individual benefit, no
public good whatever in the opinion of your Com-

mittee could be derived from it. They therefore ask to 211.
be discharged. for the Committee, Henry Tarnam.
Read & accepted.

And now it appearing Charles Street
that notice has been given, agreeably to the order passed Sewer
on the thirtieth ult. respecting laying a common sewer
or leading from Charles Street to the water by the Bap-
tist Church, & no person appearing to object, it is there-
upon ordered, that the Committee on drains & sewers
be authorized to lay said sewer as prayed for, and
that the expense thereof be assessed, according to law,
upon those whose estates shall be benefitted thereby.

Adjourned to Monday
next. four O'Clock P.M.

At a meeting of the
Board of Aldermen, of the City of Boston, held at
City Hall, on Monday the sixteenth day of July
A.D. 1858.
Present.

The Mayor, & the whole Board of Aldermen.

The Committee on the petition of
of Josiah Knapp, & others, praying, that Elletts Wharves Street
be widened at & near its junction with

212. Washington Street & that the name of Kneeland Street be changed to that of Eliot, reported as follows, viz. That said Eliot Street is now somewhat wider at the junction of Washington Street than the average width of the street, which is about thirty feet. That it will be a very costly business to cut away a part of Mr. Inches Building at the corner of said Street & therefore said widening ought not to be done at present. That it would undoubtedly be a great relief to the travel from Eliot Street to Kneeland Street to have said widening done & that when said Inches Building which is a very old one is rebuilt it should be set back for the purpose. The Committee are of the opinion that the name of Kneeland Street should be discontinued & that of Eliot substituted, & have prepared an order for the purpose, which is respectfully submitted. For the Committee, Henry Tarnum.

Ordered, That the name of Kneeland Street be discontinued & that said Street be named Eliot Street, & established as such hereafter. Read and Accepted.

Winslow & French

The board, took into consideration the report of the Committee on the Market to whom was referred the petition of Winslow & French, praying that the City would lease to them Stall No. 15, in Tancourt Hall Market House. Also the remonstrance of Lewis W. Gay, against the same & praying, that said stall may be leased to him. That the prayer of said Winslow & French ought to be granted. said report was after discussion and hearing of

The parties Accepted.

213.

Petition of Henry Manington, Manington.
for a license to exhibit his "moving Dioramas" at Corn. Dioramas.
cert. Wall. Referred to the Committee on licenses with
full powers.

Petition of John Sheridan, Sheridan.
for leave to give an exhibition of Sparring & fen-
cing to his numerous pupils & others. Referred to the
Committee on Licenses with full powers.

Applications of John Macomber,
Rayner, in behalf of Messrs. Macomber, Welsh, Welsh & Co.
for a license to exhibit a Giraffe, recently tra. Giraffe -
ught from Africa. from the first of August to the
twentieth of September. Referred to the Committee
on licenses with full powers.

Petition of J. D. Francis, Francis.
for a license to exhibit a very rare & peculiar
animal at No. 70 Washington Street. Referred
to the Committee on licenses.

Orders of the Common Richardson
Council recommending the report of the Commit- Estate.
tee who were instructed to ascertain on what
terms the Richardson estate could be purchased,
& to obtain models, plans & estimates in addition
to those already presented, with instructions to as-
certain & report the lowest price at which said
estate can be purchased. Came up for concurrence.

211. Read & Concurred.

Burial Grounds

East Boston.

Whereas The Incorporation Managers of the East Boston Land, & principal owners of the same have conveyed to the City of Boston, a tract of Land for a burial ground, & whereas said tract of land is well located & satisfactory to that portion of the City. Therefore Ordered, That the tract of land conveyed as aforesaid to the City of Boston for a burial ground by the East Boston Corporation as per deed dated July 13th 1838 be, & the same is hereby accepted as a public burial ground with all the privileges & restrictions of the other burial grounds within the City of Boston, & that the same be inclosed for the time being with a light fence, to be erected under the direction of the Chairman of the Committee on burial grounds & cemeteries & the Superintendent of burial grounds, & that no person be allowed to be buried within said burial ground nearer than eighteen feet from the inclosing fence of the same.

Tuckerman,

Dover Street.

The Committee on paving to whom was referred the petition of Edward Tuckerman praying, That the City would pay one half the expence of setting edge stone on Dover Street & cause gutters to be paved in the same & that Suffolk Street be graded without charging one half the expence to the abutters, reported as follows, viz. That no new facts or arguments have been produced by the petitioner to induce the Committee to change their view of the justice & propriety of the abutters paying one half the cost of grading Suffolk Street, as to the expediency of setting edge stone in Dover Street the Committee

are of the opinion that the public will be but little ac- 215.
commodated by this improvement for many years to come
as there will be but little foot travel over said street, and
that the petitioner should set the Edge Stone at his
own expence, as to paving the gutters in Dover Street
the Committee recommends that that part of the petition
be granted, provided the petitioner cause the Edge Stone
to be set, as it will protect & secure the street from wash-
ing away by heavy rain & offer the following order: For
the Committee. Tho: Hunting. Ordered,

That the Committee on paving be authorized to pave
gutters in Dover Street, when the abutters have caused
the Edge Stone to be set, & said street is sufficiently set-
tled. Also to grade Suffolk Street between Dover &
Garland Streets, provided Edward Tuckerman will
pay one half the cost of the same. Read, accepted
& the order passed.

Whereas it appears to this board Langdon
that certain tenements used as dwelling houses, situated in place,
Langdon place in this City are not provided with suitable
drains, & that by reason thereof nuisances & causes of sickness
exist therein. It is therefore Ordered, that notice be given
to the several owners of said tenements to cause proper and
sufficient drains to be constructed for the same within fif-
teen days from the date hereof.

The Committee on paving For
to whom was referred the petition of Solomon Popper &
others, to have a part of Broad Street repaired, reported
as follows, viz. That the prayer of the petition ought to

216. Is granted, & after the following order. For the Comm-
ittee. The: Hunting. Ordered that the Com-
mittee in paving cause Broad Street, between Levi Bliss's
store & East Street to be repaved. Read, accepted
& the order passed.

Greenough's
heirs.

See proceedings of
Sep. 3. 1838.

Ordered, That there be paid to
the heirs, representatives or assigns of David Greenough,
deceased, the sum of one thousand & eighty dollars & twenty
three cents, on their cancelling a bond given by the City in
the sum of three thousand dollars, dated August twen-
tieth 1833, to indemnify him against any claims Envelope
W. Seton, or her heirs may have on land on Butler's
Row (so called) warranted by the City to said Green-
ough, on their releasing the City from all other dama-
ges touching said premises. Sent down for concurrence.
Came up concurred with amendments.

Shaw:
City Wharf.

Memorial of David Shaw,
& others respecting a nuisance near City Wharf. Com-
mercial Street, occasioned by the common sewers em-
ptying into the dock. Referred to the Committee
on Internal Health.

May.

New Store.

Memorial of Henry H. May,
respecting a nuisance existing on Land of Henry J.
Oliver, on Hull Street, occasioned by a tomb being part-
ly open. Reference to the Committee on Internal Health.

Hoyd.

Rept. that

The Committee to whom was ref-
erred the petition, of Andrew Hoyd, for leave to construct
arches under the side walk in front of his house in Pop-

Car Street, reported, that there is no objection provided, 21%
the work be done in a suitable manner satisfactory
to the Committee on paving, & to be removed at the pleas-
ure of the Mayor & Aldermen. Read & Accepted.

The Committee to whom Dexter.
was referred the Petition of G. M. Dexter, for leave to ^{in Court Street} ~~construct~~ ^{construct} arches under sidewalk, reported, as follows,
viz. That there is no objection provided the work be done
in a suitable manner satisfactory to the Committee on pa-
ving, & to be removed at the pleasure of the Mayor and
Aldermen. For the Committee, Tho: Huntington.
— Read & Accepted.

The Committee on the pet- Godbold.
ition of G. A. Godbold, & others, to have Henckman Lane Henckman
widened, reported, as follows, viz. That said Lane is an Lane.
avenue that extends from Commercial to Charter Street
& is about ten feet wide, considerable travel passes through
said Lane, & it would undoubtedly be of considerable
public benefit to widen the same. Individuals however,
owners of land fronting on said Lane would be great-
ly benefitted by said widening & they are willing to
contribute a part of the expense. said Individuals
are of the opinion that if the City will appropriate
\$3000. towards the expense of said widening that they
will be able to effect the same. The Committee have
accordingly prepared an order for the purpose
which is respectfully submitted. For the Committee

218.

Henry Furnham.

Resolved: That the safety & convenience of the Inhabitants require that Henchmans Lane be widened, therefore ordered, that said Lane be widened by taking 1866 1/4 feet of land from the west side of said Lane as per plan taken and signed by G. P. Fuller. provided the expence to the City does not exceed the sum of \$3000. Reads Accepted, & the resolve passed!

Yield.

The Committee on the petition Sam Court Street Frederick Youll, & others, to have Sam Court Street continued through to Commercial Street, reported as follows, viz. That said petitioners in the first place are in error. The Committee on streets never recommended the extension of said Street to Tullon Street, in the first examination. They did conclude, that but a small piece of land would be required to extend said Street to Tullon Street. This was owing to a misrepresentation. They accordingly sent Mr. Fuller on to the premises to give the meter & bounds of the taking, by this it was discovered, that much more land would be required than the Committee were aware of & would cost more money than the public would derive benefit. This was the conclusion of the Committee when this large petition was presented, since which your Committee have reexamined said premises with a view to ascertain whether public necessity & convenience would justify the expence of extending said Street to Commercial Street. The termination of said Street if extended would be so near Lewis Street that very little

Public Benefit could be derived from it, not sufficient. 219.
in the opinion of your Committee to justify the great
sum that it would cost. many business men, owners of
Stores on Commercial Street were consulted & they are
decidedly of the opinion that the extension of said street
is not called for. with these brief remarks the Commit-
tee report that they are opposed to granting the pray-
er of said Petitioners & request to be discharged. For
the Committee. Henry Tarnam. Read & Accepted.

The Committee on the petit- South
ion of Francis Jackson, Agent of the South Cove Corpors. Cor-
poration, praying, that a street extending from Front Street, Corporation,
in the direction of Anncland Street, be accepted as a public
street, likewise another in the direction of Lincoln Street,
reported, as follows, viz. That said Streets at the present
time appear to be well graded & in good repair & there
cannot be a doubt but they will be of great importance
as public avenues to the City. And it is recollected that
by prematurely accepting the Streets on the Old mill
pond land before they were sufficiently settled the
City was compelled to expend large sums of mon-
ey to raise the streets to a proper height. The Com-
mittee are therefore decidedly of the opinion that
said Street ought not to be accepted, as public
streets until they are fully settled, & ask leave to
be discharged. For the Committee. Henry Tarnam.
Read & Accepted.

Superintendent of Alms
 Alms passengers account. Referred to the Committee
 Passengers on accounts. Sent down for concurrence. Came
 up Concurred.

Sheriff
 Sumner's annual ac-
 count against the County of Suffolk. Referred
 to the Committee on County accounts.

Funeral Undertaker

The Committee on burial grounds
 Discharged, reported, that the Superintendent, can at present dis-
 pense with one of the funeral undertakers and they
 submit & recommend the passage of the following order
 for the purpose. For the Committee Henry Tarnam.

Ordered, That Mr. Edward
 Barrington one of the funeral undertakers for
 the City of Boston be discharged, as his services are
 no longer required & he is hereby discharged accord-
 ingly.

Auctioneer

appointed. as an Auctioneer, & his bond approved.

Armstrong

Petition of Samuel J.
 Januel Hall, Armstrong, & others, for the use of Januel Hall,
 on the 24th inst. for the purpose of a public din-
 ner to be given to the Hon. Daniel Webster.

— Read & granted.

Police
 officers.

James Cate. Samuel
 Bordin & Thomas Manning nominated

The following persons were Constables nominated & appointed Constables of said City for the year ensuing, vizt. George Robinson, Elisha V. Glover, John Henry, James Hunkins, Francis M. Adams, Henry Taylor, Richard Mosca, William Spring, George Reed, George Reed, Jr., Johnson Lunt, Josiah Baldwin, Ebenezer Shute, Ebenezer Shute, Jr., Jacob Weeks, Josiah Washell, Jonas Stratton, Derastus Clapp, Winthrop G. Dabbitt, Jonathan Prescott, Nathaniel Coolidge, John Wordman, Willard Clough, Edward P. Hunt, Jacob Pratt, James Pierce, Benjamin Lane, Francis Merrifield, Jacob C. Tallant, Sumner J. Barrett, Isaac A. Coolidge, Thomas Holden, Ebenezer Prescott, Elisha Copeland, Horatio Bap, Samuel M. Burnham & Charles Hastings.

The Committee on the petition of Solomon Spicer on Broad formerly Broad Street, reported, that said Spicer has directed to set his building back upon the line given him the last year, by this board. Resolved & Accepted.

The Committee to whom was referred the petition of Benjamin Smith, & others, to have a common sewer in Sultan Street, reported, that a common sewer ought to be constructed in said

222. Street, & that the same be done under the direction of the Committee, & the expense assessed on all persons benefited thereby. — Read & Accepted.

Arnold,

Broad street. It appearing to this board that notice has been given agreeably to the order passed at the last meeting of this board, on the petition of Joseph Arnold, & others, to have a common sewer laid in Broad Street, after some discussion it was ordered, that the subject of laying said sewer, be recommitted to the same committee to consider & report.

Adjourned to Monday next,
four O'Clock. P.M.

At a meeting of the board of Aldermen, of the City of Boston, held at City Hall, on Monday the twenty third day of July, A.D. 1838. Present

The Mayor, & the whole board of Aldermen.

Wards,

new division.

The board took into consideration the Ordinance relating to the division of the City into wards, & the same passed. Sent down for concurrence. Came up & concurred. Vide proceedings August 13. 1838.

On the petition of Henry 223.

Curtis. Ordered, That notice be given to all persons Curtis interested, to appear on Monday next, four o'clock South Bridge p.m. & shew cause, if any they have, why a common Street sewer should not be laid in South Bridge Street, & the expence thereof assessed on all persons benefitted thereby.

The Committee on paving to Crafts, whom was referred the petition of Henry Crafts, C. Street, & others, to have C. Street, at South Boston, repaired, reported as follows, viz. That that part of said C Street between fourth & fifth Streets is in a dangerous condition & should be repaired forthwith. And, That part of C. Street between fourth Street & Broadway the committee are of the opinion, that a portion of the expence of grading should be paid by the abutters, as some portion of said Street, has been dug up & manufactured into brick & the Committee recommend that, that part of said Street be graded, when the abutters have caused it filled up to its original elevation. For the Committee, Thos. Hunting. Ordered, That the Committee on paving cause C. Street between fourth & fifth Streets to be repaired. Read, Accepted & the order passed.

The Committee on Streets Beach
to whom was referred an order with full power to cause that a part of Beach Street to be improved, reported as follows, viz. That said Street has never been accepted as a public highway, said Street however has

224. been a public thorough fare for more than twenty years, no claim therefore can be sustained, for damage by the original proprietors of the land. said street requires & ought to be put in good repair. But it is found that a part of it is built on a Cobb wharf covered with earth & will cost by an estimation of Francis Jackson from 100 to 200 to fill it up with solid earth. It is further to be noticed that the part of the street adjoining is in the same condition. & the South Cove Corporation are ready to fill up the same as per their agreement, but are waiting to have this done at the same time. This is but reasonable as there is nothing to prevent the earth that is put therein to fill up their part of the street from spreading over the part of the street that they have nothing to do with. The Committee are decidedly of the opinion that this part of the street ought to be filled up & that it can never be done at less expence than at the present time. They have accordingly prepared & recommended the passage of the accompanying order for the purpose, which is respectfully submitted. For the Committee Henry Tarnant. Ordered, That the Committee in Streets be authorized to fill up with solid earth, that part of Beach Street between Brine Street & the western part of what was formerly Hatch's Wharf & to grade the top of the same with gravel. Read, Accepted & the order passed.

order which passed this board on the 30th ult. respecting 225.
Leasing the Wall over the Market.

Ordered. That on Monday next Market
the Wall over Tanerill Wall Market be leased by pub. Walt.
lic auction under direction of the Committee on public
buildings, for the term of five years, from the first day
of July instant, & that the same be put up at a minimum
price not less than thirty five hundred dollars,
per annum; the purchaser to give sufficient security
for the payment of the rent; & notice of the ^{time} & place of
the sale of said lease to be published in the newspapers.
Sent down for concurrence. Came up concurred, with
amendments. Read & Concurred.

The Committee to whom was re Grant & Daniell.
ferred the petition of Grant & Daniell, & others to have Pump in
the pump in Dock Square repaired, at the expence of (Dock Square.
The City, reported as follows, viz. That as all the pumps
which were formerly kept in repair at the expence of
the City or Town, have been discontinued, excepting the
se in the vicinity of some public building, your Com-
mittee have been unable to perceive any substantial rea-
son for incurring the expence of repairing this pump
for the benefit of individuals who may happen to re-
side in that vicinity, more than other portions of the
City, who might claim similar favour with the same
propriety. Taking this view of the subject the Com-
mittee are of opinion that it is inexpedient for this

226. Board to take any order thereon, & therefore ask to be discharged, for the Committee. Nathan Gurney. Read & Accepted.

- Well -

Ordered, That the Committee on Public Buildings be authorized to sink a well in the State Street, same place where the pump now stands in State Street at the east of City Hall.

Burying ground

The Committee on Burying in the common grounds report to the board that a number of gentlemen owners of lots in the Central Burying ground, & dwelling houses adjacent to the same are willing to subscribe liberally for the purpose of erecting a handsome iron fence round said ground, provided the City will pay a part of the expense & ornament it with a variety of trees. When the board erected the present iron fence round the Common it was contemplated that it would be necessary to erect this fence in order to complete the enterprise & give the whole a splendid appearance. The Committee have accordingly obtained an estimation of the cost of said fence from Mr. Upjohn, which amounts to \$650 and prepared an order for the purpose which is respectfully submitted, for the Committee. Henry Tarnam. Ordered, That the Committee on burial grounds & Cemeteries be authorized to put up an iron fence round the central burying ground, according to a drawing (and es-

termination) by Richard Myjohu. & that the Superintendent of burial grounds be requested to ornament the same with a variety of trees. Provided the same can be done at an expence not to exceed \$3025. Read. Accepted & the order passed. Sent down for concurrence. The Common Council nonconcurred.

Ordered. That the City Solicitor Summer be requested to examine the title of the City to the Street flats at the bottom of Summer Street, with a view of ascertaining whether any person has trespassed upon the same.

Ordered. That the Superintendent Washington of public lands be instructed to cause a light fence to be placed around the lot of land belonging to the City. lying north east of the Mall in Washington Place, & between the lines which would be formed by a continuation of Belcher Lane & Washington Avenue westerly from their present terminations.

The Committee on Burial grounds North reported the following order viz: Ordered. That burial grounds. The Superintendent of burial grounds be requested to close the thorough fare for foot passengers across the burial ground on Copp's Hill & ornament the same with trees.

Petition of Albert A. Bent. Bent. & others. to have the street leading from Mount Pleasant Washington State to the Point repaired. Read. Sent.

228. *Order to the Committee on paving with full power.*

Amory. Petition of Francis Amory, and Washington Street others, to have Washington Street widened by cutting off an old building No 160 on the easterly side thereof. Referred to the Committee on Streets.

Ritchie. Petition of John Ritchie, and Washington Street others, to have Washington Street widened by cutting off several buildings on the westerly side thereof at & near Winter Street. Referred to the Committee on Streets.

Bliss Petition of Levi Bliss, and Broad Street others, to widen Broad Street, between Drake's wharf & Summer Street. Referred to the Committee on Streets.

Warren. Petition of Charles Warren Hanover Street & others, to have Hanover Street widened near Friend Street. Referred to the Committee on Streets.

Barry. Order of the Common Council referring the petition of William Barry, praying that an old demand he has against the City may be settled by reference or otherwise to the Committee on public Buildings. Came up for concurrence. Read & concurred.

Tauborn Demonstration of A. C. Tauborn, & others, against the location of a primary School.

in Spring Street place. Referred to the Committee on 229.
Public Buildings. Sent down for concurrence. Came
up concurred.

Petition of Lewis W. Gay, to Gay.
have a stall in Faneuil Hall Market house. Read
& thereupon ordered, that the Petitioner have leave
to withdraw his petition.

The Committee on Licenses. Licenses for
to whom the following applications for licenses were Exhibition.
committed with full power reported as follows. viz. Granted.
Macomber, Welch & Co to exhibit a 'Goraffe', reported,
that the prayer of the Petitioners has been granted, &
they further recommend that they be permitted to oc-
cupy part of the City Land lying west of the Court
House, for the term of three weeks, provided they keep
a passage next to the Court House not less than twelve
feet wide always open.

On the petition of Henry Han- Harrington
ington for a license to exhibit Miramas, that the
prayer of the petitioner has been granted. Read
& accepted.

The Committee on drains & Bullard/
sewers, to whom was referred the petition of Calvin Sumner
Bullard, & others for a common sewer in Sumner
Street, with full power, reported, that the prayer
of the petitioners has been granted, & the work done.
Read & accepted.

Ordered, That the Committee find,

236. in license to be instructed to inquire into & report, upon
James
license. the expediency of revoking a Victualler's license lately
granted to David Jones in Leverett Street.

Constables

Conck Glover & Samuel S. Vialle
were nominated & appointed Constables.

Auctioneers.

The following persons were licensed
as auctioneers, & their several bonds approved, viz: James
M. Allen & Co. John M. Baker. Samuel R. Bayley.
Joseph L. Cunningham. Coolidge & Haskell. Dan-
iel Herson. Edward F. Heath. Samuel Hatch. Thomas
M. Sears. George P. Thomas. John Sykes. John Sy-
kes Jr. Ferdinand C. White. William C. White. and
Frederick Whitney.

Adjourned to Monday next
four O'Clock P.M.

At a meeting of the Board
of Aldermen of the City of Boston, held at City
Hall, on Monday the thirtieth day of July A.D. 1858.

Present

The Mayor, & the whole Board of Aldermen, except
Alderman Brimmer.

An order of the Common 231.

Council authorizing the Committee on public lands to be Beneficiat^{rs}
 cator assign a lot of piece of land on the neck (so called) of Branches.
 belonging to the City, in a suitable place for a meeting
 house, for the Brethren of Fraternity of Churches, & as
 as follows viz. Ordered, That the joint ston-

as follows, viz. Ordered, That the joint standing Committee on Public Lands be authorized to locate & assign a lot or piece of land part of the neck lands (so called) belonging to the City in a suitable situation for a Meeting house or chapel: & Having regard to the interest of the City in its location, in conformity to a vote of the Town of Boston, passed the 29th day of December 1806. & That the attorney be, & he is hereby authorized & requested to execute a deed of the premises so assigned, to the association known by the name of the Benevolent Fraternity of Churches in Boston, or to some person or persons authorized by them in their name to receive the same, & to be occupied & improved by said Society, for the erection & continuance of a meeting house or chapel, & such other buildings as said Society may deem necessary for public worship, & for the moral improvement & education of the poorer classes of the Community. ^{B.} Provided however, ^{C.} That the attorney be & he is hereby instructed to withhold his signature for the conveyance of said premises, until said Society have erected & completed a building for public worship, on said premises, for the purposes aforesaid, of the value of not less than ten thousand dollars. Provided also, That the land so located & assigned

232. It shall revert to, & again become the property of
the City of Boston, whenever it shall cease to be occu-
pied & improved for the uses & purposes contemplated in
this order. Read & concurred with the following amend-
ments, viz: at (A.) insert "not exceeding Eight Thousand
and Square feet." at (B.) insert "of all sects & deno-
minations of Christians" at (C.) insert "That the place
shall be free, & never subject to any tax or a propo-
sition" Sent down for concurrence. The Common
Council concurred in the amendment at 'A' then
concurred at 'B' & concurred at 'C' with this further
amendment by adding in continuation thereof the words
"without the sanction of the City Council and"
Read & concurred.

City Hall

The Committee on the erection of
the City Hall, who were instructed to ascertain the low-
est terms on which the Richardson estate can be obtained,
Reported as follows, viz: That they have good reason to
think that the most favourable terms, which the owners
of that estate will now accept, are the following, viz:
The land to be paid for at the rate of five dollars the
square foot, which will amount to the sum of \$ 34, 030,
for the 6,806 feet which the estate contains & payment
will be received in five per cent City Stock, redem-
mable in twenty years, in conformity with the terms of
the will of the late S. Richardson. Deeming it
impracticable to obtain greater accuracy on this
subject, in the present state of things the Committee

asked to be discharged from further attention to it. Nov 233
The Committee, Saml. A. Eliot, In Common Coun-
cil, recommended with instructions to consider & report
upon the expediency of purchasing said estate & also as
to the most eligible location for the erection of a new
City Hall. Came up for concurrence. Read and
Concurred.

The Committee on licenses who License
were instructed to enquire into & report upon the expe-
diency of revoking a victualler's license granted to
David Jones, in Leverett Street, reported, that said
license ought to be revoked, it being made to appear
to the committee, that said Jones keeps a disorderly
house. Read, accepted, & that said license be & here-
by is revoked accordingly.

Resolved, That the Ann
safety & convenience of the inhabitants require that
Ann Street be widened between Battery & Bartlett
streets. Therefore Ordered, That the same is hereby
widened by taking a piece of land from the estate of
Daniel E. Powers as follows viz. Beginning at the south-
erly corner of land belonging to Shute from thence run-
ning southerly by a line in continuation of the front
line of said Shutes house twenty five feet ten inches
more or less to a passage way. Then running easterly five
feet ten inches to the present line of said Ann Street then
running northerly by said present line of Ann Street
twenty five feet ten inches. Then running westerly five
feet ten inches to the place of beginning taking 1842

244. Square plot of land from Daniel E. Parry, as marked
on a plan drawn by S. P. Fuller dated December 1826.

North Brunet
Street.

Resolved, That the safety
& convenience of the Inhabitants require that North Brun-
net Street be widened near the corner of Hancock Street.
Therefore Ordered, That the same is hereby widened by
taking a piece of land from the estate of the First Univer-
salist Society as follows, viz. Beginning on Hancock Street
at the distance of twenty pi feet southwesterly from a new brick
building belonging to Levi Melcher, from thence run-
ning Northwesterly by a straight line ninety four feet
nine inches through land belonging to the First Univer-
salist Society, then running North easterly one inch,
then running Northeastly by the present line of Brun-
net street ninety four feet nine inches to Hancock
street then running South westerly by said Hancock Street
eleven inches to the place of beginning taking from said
Society forty seven $\frac{1}{2}$ square feet of land as marked
on a plan drawn by S. P. Fuller dated July 5 1830.

Washington
Street.

Resolved, That the Safety &
convenience of the Inhabitants require that Washing-
ton Street be widened on the easterly side of the same
near South Street. Therefore Ordered, That the same
is hereby widened by taking a piece of land from the es-
tate of William S. Otis by as follows, viz. Beginning
at the northerly corner of a store belonging to Benj-
amin Guild by from thence running Northeastly

by a line in continuation of the front line of said store 235.
eighteen feet six inches more or less to land used for a
passage way then running northwesterly by said pass-
age way six feet four inches to the present line of said
Washington Street. then running southwesterly by said
present line of Washington Street eighteen feet six
inches more or less to land heretofore taken to widen
said street, then running southeasterly four
feet eight inches to the place of beginning. Taking
ninety eight & three quarters square feet of land be-
longing to William F. Otis Esq. as marked on a plan
taken by G. J. Fuller dated April 8th 1826.

Ordered, That the City Clerk Cooper
shall notify the abutters or proprietors of estates sit- Street
uated on Cooper Street, between Salem Street, & the
northerly side of the estate of James Bartlett, on said
street, to place edge stones & lay side walks in front
of their respective estates, within twenty days.

Petition of proprietors of Park Street Church
Street Church to have Tremont Street made an alley Church.
between Winter & Bromfield Streets - & Josiah Davis Tremont Street.
et al others, proprietors of estates in that place, in aid
of said petition. Referred to the Committee in passing.

The Committee on Streets. Beach
report to the Board & that in July 1818 the Street Street.
men took from Capt. Beaulstone a piece of

256. Land to widen Beach Street said Land it appears; was paid for at the time. A part of a wooden building continues to stand on a part of the land which was then taken. The Committee recommend the passage of the following order to remove the same. For the Committee Henry Furness. Ordered. That the Committee in Streets be authorized to remove a part of the wooden building that projects into Beach Street; the land under the same having been taken from Capt. Kinsstone to widen said Street. Read, accepted & the order passed.

Wilkins.

The report of the Committee on the petition of Jamess C. Wilkins. for leave to build a small dwelling house with wood, near Maiden Street. That leave be granted. Read & accepted.

House of
Correction
Accounts.

The Overseers of the House of Correction's account of moneys received & expended by them for that Institution, from the twenty first of May last to the thirtieth day of July instant. Referred to the Committee on County accounts.

Burroughs.

Petition of John Burroughs, to be relieved from the payment of an apportionment made upon him for a common sewer in Chamber Street. Referred to the Committee on drains & sewers.

Petition of the Heirs of William

Commission. Petition of G. M. Pearson, & the demand 237
of Thomas Page, claiming damage to their respective
estates, in consequence of raising the street corner Pearson & Page,
of Winter & Washington Streets. Referred to the Com- Washington Street
mittee on paving.

Petition of the trustees of Gard. Greene,
sine Greene's estate, to be paid for land taken to wid- Washington
en Washington Street. Referred to the Committee on Streets.
Streets.

Petition of Thomas Furber to Furber
be paid for land taken to widen Sudbury Street. Sudbury
Referred to the Committee on Streets. Street.

Petition of Jabez Washburn, Washburn,
& others, for a license to exhibit a Rat. 39 inches Rat.
long & weighing twelve pounds. Referred to the Com-
mittee on Licenses.

Ordered, That E. James E. James,
have leave to withdraw her petition, & that the joint
Committee on said petition be discharged. Sent down
for Concurrence - Came up Concurred

Ordered, That the communi- Stetson,
cation heretofore made to this board by the City Sec- Thayer &
tary respecting the final settlement of the claims Settle-
of Amasa Stetson & of the widow & heirs of Rufus
Thayer against the City, be referred to the Commit-
tee on Streets, with full power, to adjust & settle all
matters in controversy between the City & the said

238. Parties & all & every of them, on such terms, and in such manner as the said Committee shall think expedient. Ordered, That the Committee on Streets be & hereby are empowered to adjust & settle all claims & controversies between the City & the Heirs of Windham Mills & between the City & Daniel Greenleaf (being owners) of the estates lying west & westerly of the estate of Stetson & Thayer) upon such terms & in such manner as the said Committee shall think expedient. Read & Passed.

Bartlett. Ordered, That the Committee on Streets be authorized to submit the demand of James Bartlett, for land taken to extend Cropper Street to referees to be selected by said committee & Charles E. Loring, the attorney of said Bartlett.

Public Lands. Report of the Superintendent of Public Lands, for the last quarter. Read and sent down.

House of Reformation. Report of the Directors of the House of Reformation, for the last quarter. Read and sent down.

South Bridge Street. It appearing to this board, that notice has been given, agreeably to the order passed at the last meeting of this board for all persons interested to appear & show cause why a common sewer should not be laid in South Bridge Street & the expense thereof assessed on all persons whose estates shall be benefitted thereby. And now no person appearing to object, it is thereupon

Ordered, That the Committee on drains & sewers be and 239.
Authorized to cause the same to be laid, if they shall see
fit.

The Committee on the petition of Curtis
Henry Curtis to have the lines & levels of South Bridge south bridge st.
Street run, reported, that they had employed Thos.
Toller to give the meters & bounds of said Lane which
said Curtis purchased of the City. Read & Accepted.

The Committee on the pet. Ritchie
ition of John Ritchie, & others, praying that Wash. Washington
ington Street be widened from the passage way Street.
Leading to Temple Place to Winter Street, reported
as follows, viz. That said Street requires to be widened
in order to carry out the views of the board, which
are eventually to make every part of said Street fifty
feet wide. To extend this widening to Winter Street
will cost a large sum of money, and as a full por-
tion of the City funds for several years to come were
expended the last year to widen said Street and as
said funds should be divided through the City where
the widening of Streets is required, it is the opinion
of the Committee that said widening ought not to
be done at the present time & request to be discharged
for the Committee, Henry Tarnum. Read &
Accepted.

Francis Freeman, John (uncertain)
J. Johnson & Thomas P. Rich license as Auc-
tioneers & their several bonds approved.

240.

The City Treasurer & Auditor

Mortgage
discharged.

After having certified that a bond executed by John B. Hall whereby he became obligated to pay the City the sum of two Hundred & twenty dollars, the payment of which was secured by mortgage recorded with Suffolk deeds. Lib 264 fol. 81. has been fully paid, both principal & interest. Read & thereupon ordered, that the Mayor be & he is hereby authorized & requested to discharge the same on the records.

Mortgage

discharged.

The auditor having certified, that a bond of John Reed, whereby he obligated himself to pay the City the sum of Seventeen Hundred & fifty dollars, payable in gravel & labor. The payment of which was secured by mortgage recorded with Suffolk deeds, Lib 430. fol. 215. has been paid, as will appear by the bill of said John Reed, exhibited & filed with the Auditor, approved by the Superintendent & Committee on public Lands. Read & thereupon ordered, that the Mayor be & he is hereby authorized & requested to discharge the same on the record.

Adjourned to Monday next.
Four O'Clock P.M.

At a Special Meeting 2111.
of the board of Aldermen of the City of Boston,
held at City Hall, on Wednesday the first day of
August 1838.

Present.

The Mayor, & the whole board of Aldermen, except
Alderman Brimmer.

Ordered, that the dinner be School
dispensed with on the anniversary of the exhibition of the Quincentennial
Public Schools.

Ordered, that the Commit Court Street
Act on streets be authorized to put up a board fence between Court
House & the City Land on the west side of the New Court House &
House & the Land owned by Josiah Marshall; said fence to be placed so as not to touch said Marshall's land & that the space between said fence and the
Court House be suitably graded for foot passengers.

The Committee on the petition of Thomas Furber
of Thomas Furber reported, as follows, viz. The Com-
mittee on streets have directed the superintendents
of Streets to repair the within named side walk. The pay-
ment for the Land required to widen Sudbury Street
ought not to be made till such time as said Furber
builds on his land, or erects some permanent fence
upon the line of the street, for the Committee. Henry
Farnham. Read & Accepted.

The annual return & report made.

242. of the Suspectors of prisons, which was laid on the Table & ordered to be printed for the use of the members of the City Council.

Adjourned.

A meeting of the Board of Aldermen of the City of Boston, held at City Hall on Monday the fifth day of August 1838.

Present.

The Mayor, & the whole Board of Aldermen except Alderman Surney.

House of
Corrections.

The Committee to whom was referred the accounts of the Treasurers of the House of Corrections reported, that they have examined the same & find them correctly & well reached. Read & Accepted

City Hall

The Committee on the erection of a new City Hall, who were instructed to consider & report on the expediency of purchasing the Richardson estate, reported as follows, viz. That in their opinion it is expedient to purchase that estate, for the following reasons. It has too frequently happened that public buildings, in this city of great cost & some claims to beauty of architecture, have been placed in situations ill adapted to display any merit of that kind which they might possess. In erecting a City Hall in a style which it is to be hoped will reflect honour on the City for many years to come, it is,

particularly desirable to avoid this error & to place it 243
where there will be every opportunity to examine its pro-
portions & its ornaments. The purchase of the Richardson
estate, which will be very likely to be followed by that
of the estate on the opposite side of Court Square, would
enable the City to open a splendid square, between
School Street & the City Hall, which would not only serve
to display the building to advantage, but would itself form
an opening alike useful & ornamental. It is difficult
in a City which, like this, is limited by natural boundaries
within a small compass, to obtain open spaces, if this descrip-
tion; & every opportunity to do this should be seized, if which
we can avail ourselves, without a greater cost than would
be justified by the object. Another reason for the pur-
chase is, that it would afford opportunity for a choice in
the location of the new building. It might either be
placed as the old Court House now is, or the front
could be changed, & it might occupy the site of Barris-
ters Hall, facing easterly, or in case the opposite estate
were purchased, it might be placed on a line with the
New Court House, with a sufficiently handsome street on
each side. For these reasons the committee recommended the
purchase of the Richardson estate, by the City. The other
subject, which the committee were instructed to consider, is
the most eligible location for the new City Hall, and on this
point they are of opinion that the site of the old Court
House is very nearly that which the new Hall should oc-
cupy. The following are the reasons which have influenced
the Committee on this point. It is almost the exact centre

2114. of the City in respect to population & even to territory, ex-
clusive of South Boston & the neck lands, & the Committee
presume that no situation could be in this respect found,
which would be equally convenient to a greater number
of inhabitants. It has also the advantage of great quiet,
which to those who have experienced the evil arising from
the constant roar of vehicles, the jingling of bells, the clat-
ter of building & all the mingled sounds of a crowded
thoroughfare which annoy the ear & confuse the brain
in the present location of the City Hall, will be no slight
argument in its favor. In order to secure this desirable
quiet from future interruption, the committee are of
opinion that the position of the Court House with respect
to the adjoining land, should still be preserved in erecting
the new City Hall, i.e. that it should front toward School
Street. If it should be placed with its front in the other
direction with a wide street passing through, to Court
Street, on one side of it, or on both, there would be great dan-
ger that the tranquility as well of the City Hall as of the
present Court House, would be sooner or later destroyed
by the multitude of carriages passing over pavement, while
it cannot be pretended that the safety & convenience of
the public require the opening of a new thoroughfare
between School & Court Streets. Another advantage at-
tending this situation is the security of sufficient light
& air on all sides. The conclusions at which, after much
deliberation the committee have arrived, are, that it is
expedient to purchase the Richardson Estate, on the terms
named in the last report of this Committee, and that

it is desirable that the New City Hall should be erected 245.
on, or near the site of the Old Court House, having its
front towards School Street, all which is respectfully
submitted, for the Committee. Read, & C. C. C. C.
Read & recommended to the same committee with instruc-
tions to consider & report what additional land will
be wanted & at what price it can be obtained. Put
down for concurrence. Came up concurred with ^{this} amend-
ment. By adding thereto the words "and also to report an
plan of all lands belonging to the city between Court and
School Streets, together with all the land they propose to pur-
chase & the probable cost of the whole, which may be neces-
sary." Read & concurred.

The Joint Committee who were School house,
instructed to "inquire into the expediency of agreeing with East Boston
The East Boston Company for land, & procuring" a plan
for a suitable building of brick two or more stories high,
to be finished to accommodate a Grammar & Primary
School & Watch House." have attended to the duty, & after
leave to report, that they have agreed with the East Boston
Company for a suitable lot for a School House, for the
accommodation of the Inhabitants in that part of the
city, & that corporation has given a deed of it to the City.
It is a large, central & convenient lot on Meridian Street,
a short distance from the Engine House which has been
erected on the opposite side of the square formed by Me-
ridian & Paris Streets. They have also procured plans &
estimates for a building of three stories, of which the

24b. unless one is to be left unfinished, till the increase of the population shall render its use necessary, which they now place at the disposal of the City Council. They recommend the adoption of the following orders. For the Committee. Saml. A. Eliot. Ordered, That the committee on Public Buildings be instructed to cause a School House to be erected at East Boston, on the lot conveyed for that purpose to the City by the East Boston Company, according to the plans herewith presented. provided the cost thereof shall not exceed the sum of fourteen thousand dollars. Ordered, That the Treasurer be & he is hereby authorized to borrow under the direction of the Committee on Finance, a sum not exceeding fourteen thousand dollars, to be appropriated to the erection of a School House at East Boston. In Common Council recommended, with instructions to report a plan and to recommend a sum to be appropriated, to defray the expenses of the erection of a school house at East Boston. Came up for concurrence. Read & Concurred.

License
revoeking. Ordered, That the Committee on Licenses be instructed to consider & report on the expediency of revoking a victualler's license lately granted to W. D. Parker, in Court Square.

Court house
land. The Board reconsidered the order of first instant instructing the committee on streets to cause to be fenced the land of the City near the Court

House adjoining land of Josiah Marshall.

247.

Ordered. That the Committee on Fence Street, be authorized to employ the fence viewers to view, direct where a division fence between the city land near the new Court House & the land owned by Josiah Marshall shall be placed, & to appraise the cost of said fence, according to law, & that said committee be authorized to build a fence on such portions thereof as may be required on said division line as directed by said fence viewers.

Ordered. That the City Mays Nuisances, shall be directed to cause the following nuisances to be forthwith abated, vizt. on Mr. Huntington's Estate, Suffolk Street, on Mrs. J. Frothingham's Estate, Marshall Street, on Dr. G. Parkman & Ward Wilkin's estate foot of Vine Street, on Dr. G. Parkman's estate No. 111 & adjoining Charles Street, on Nathaniel Staggitt's (of Charleston) estate on Merrimac Street, and on estate of R. Maskins, South Street place.

Ordered. That the Committee Omnibuses, on Licenses inquire into the expediency of licensing & taxing, Hacking Omnibuses, that are used & stand in this City for conveying passengers.

P
Petition of Turber & Teed, Turber & Teed & others, to have the sale of horses & carriages, at public auction, regulated.

248. Lic auction, at the corner of Milk & Devonshire streets
forbid. Referred to the Committee on Licenses.

Pelley. Petition of William Pelley, to
National Theatre have the license of the National Theatre renewed.
Referred to the Committee on Licenses.

Chamberlain. Petition of A. L. Chamberlain,
Minot Street & others, for leave to sink a well in Minot Street. Ref-
erred to the Committee on paving

Jackson. Petition of Charles Jackson,
Devonshire Street to be relieved from the payment of an assessment for
a common sewer in Devonshire Street. Referred to
the Committee on drains & sewers.

Cluey. Petition of Stephen W. Cluey,
Eliot School & others to have the Eliot School House, now about
house. being built on land between North Bennet & Til-
ton streets enlarged. Referred to the Committee on
public buildings on the part of this town, with such
as the Common Council may join, to consider & report.
Went down for concurrence. Came up concurred & the
Common Council joined on its part the Committee on
Education.

Treasurer to. Ordered, That the City Treasurer
borrow money & he is hereby authorized under the direction of
the Committee on finance, to borrow such sum of mo-
ney, not exceeding three thousand dollars, as may

be necessary to pay for one half the expense of an 2119.
iron fence around the common burial ground, and
that the Mayor & Aldermen be requested to adver-
tise for proposals for building the same. Passed in
Common Council. Came up for concurrence, and
on the question of concurrence the yeas & nays were
taken as follows, viz. Aldermen Tarnam, Wetters,
Wayward, Huntington, Richardson, Harris & Brimmer
Y. nays, none. So the same passed in concu-
rence.

The Committee on paving to whom Lawrence
was referred the petition of Amos Lawrence & others Fremont Street
to have a part of Fremont Street macadamized, re-
ported as follows, viz. That they have duly considered
the subject referred to them & are of the opinion that
the prayer of the petitioners to have said Street mac-
adamized ought not to be granted, but recommend
that said Street be repaired, & offer the following
order. To the Committee, Thos. Huntington. Ord-
ered that the Committee on paving cause Frem-
ont Street from West Street southward to No 120,
in said Street to be repaired. Read & accepted.

The Committee on paving to Park Street Church,
whom was referred the petition of the Presbytery Fremont Street
of Park Street Church to have a part of Fremont
Street macadamized, reported as follows, viz. That
said Street near the Park Street Church was repair-
ed two years since & is now in good order. The Com-

256. mittes are of the opinion that the prayer of the
petition ought not to be granted. For the Committee.
This Morning. Read & Accepted.

Dana. The Committee on streets to whom
Chardon Street was referred the petition of Samuel Dana & others pray-
ing that Chardon Street be widened, reported as follows.
viz. That a religious society have purchased & commen-
ced making extensive alterations & additions to the build-
ing known as Parkman's stable, for the purpose of en-
larging it for public worship. That if these extensive
alterations are permitted to proceed without sitting it
back to the prospective line of the street, by cutting off
a strip from the front, it will add greatly to the ex-
pense of widening said street hereafter. That two
brick dwelling houses are now building on the lands
next adjoining said stable the owners of which antici-
pating that the street at this particular part of it re-
quired widening have without request from this board
voluntarily set them back to the line of the street. There
is no obstruction after the above widening is done to
extend the same to Hawkins Street, except an old
wooden fence & the corner of an old wooden dwelling
house. Said fence can be removed back to the line, at
the present time at a less cost than it can be done at
a future time. The old wooden building will then be
left to project at one corner of it about $3\frac{1}{2}$ feet into
the street, but is much out of repair & it will be for
the interest of the owner to rebuild it, which will

probably be done in a short time. Then, the widening 251.
can be completed to Hawkins Street at a very small
expense. With these brief remarks the Committee have
prepared & recommended the passage of the accompa-
nying order which is respectfully submitted. For
the Committee. Henry Barnard. Resolved,
That the safety & convenience of the inhabitants require
that Chardon Street be widened on the western side
of the same. Therefore Ordered That the same is here-
by widened by taking a piece of land from the es-
tate of George Parkman, & another piece of land for-
merly of the estate of James Ives as follows to wit. 150.
beginning at the distance of one hundred & twenty seven
feet northeasterly from Borden Square, from thence
running northeasterly at right angles from the north-
westerly side of said Chardon Street seven feet ten in-
ches, then running northeasterly by a straight line
one hundred & fifty six feet more or less to a dwelling
house standing on land formerly of James Ives then
running southeasterly by said dwelling house five feet
three inches to the present line of said Chardon Street,
then running southwesterly one hundred & fifty six feet
more or less to the place of beginning, as marked on
a plan drawn by S. J. Fuller dated April 19th 1831.
Read, accepted & the resolve & order passed.

The Committee on streets to Bliss
whom was referred the petition of Levi Bliss, & others, Broad Street,
praying, that Broad Street, between Summer & East
Streets may be widened, reported as follows, viz. That

252. The street where it is requested to be widened is now about 35 feet wide. The buildings are of wood & very old & probably will be removed at no very distant time. It will cost a large sum of money to widen said street at the present time. The Committee are therefore opposed to granting the prayer of the petitioners & ask to be discharged. To the Committee. Wm. J. Farnham Read & accepted.

Auctioneers
Licenses

Stephen Brown. Ephraim D.
Snow. Saml. A. Walker, & Nathaniel Frothingham,
licensed as Auctioneers, & their bonds approved.

Quarterly
Reports.

Quarterly reports of the Super-
intendent of burial grounds, & of John R. Bradford.
May weigher of the northern district of moneys received
by them respectively & paid into the Treasury the
last quarter. Read & sent down

Adjourned to Monday next,
four O'Clock p. m.

At a meeting of the Board 253.
of Aldermen of the City of Boston, held at City Hall, on
Monday the thirteenth day of August, A 1838.

Present.

The Mayor, & the whole board of Aldermen, except Alderman Gurney.

The joint committee on public Benevolent
Lands who were instructed to assign a lot of Land in a Fraternity
suitable situation, for a meeting House or chapel to the of Churches
Benevolent Fraternity of Churches, reported as follows, viz.
That they have viewed the neck lands belonging to the
City, & have carefully examined various sites which they
deemed eligible Situations for the buildings contemplated
by said Society, & after due consideration the Committee
unanimously agreed to locate, & do hereby locate and
assign a lot or piece of Land to be occupied for the pur-
poses named in said order, on the corner of Rutland & suf-
folk streets, containing eight thousand square feet & bound-
ed as follows, viz. beginning at the junction of Rutland
& Suffolk streets, thence running southerly by the line of said
Suffolk Street eighty feet. Thence westerly one hundred feet
to a twenty feet passage way. Thence northerly by the line
of said passage way eighty feet to Rutland Street Thence by
the line of said Rutland Street easterly one hundred feet to
the point of beginning, all which is respectfully submitted.
For the Committee. Nathan Gurney. Read & Accepted.
Sent down for concurrence. Came up concurred.

Quarterly reports of money

254. received & paid into the Treasury of the auditor of accounts,
Auditor repd. Superintendent of Alien passengers & the City Clerk. Read
Superintendent of Alien Passengers do. & sent down.

Wards. men Council of the non concurrence by that board of
new division. The ordinance relating to the division of the City into wards
& directing that the ordinance with the report & accomp-
anying papers be recommitteed to the committee who report-
ed the same with instructions to reconsider the subject matter
thereof, & with authority to report in a revised form. Came
up for concurrence. Read, & concurred.

Fitch (Remonstrance of Jeremiah Fitch
Ward no. 4. & others, against the new division of the wards as reported
by the Committee. Referred to the Committee who have
under consideration that subject. Sent down for concu-
rence. Came up concurred.

Adams School. The Mayor communicated,
Smith School. agreeably to instructions of the school committee two
petitions addressed to that board; viz. Petition of the
Master of the Adams School, for alterations & repairs of
that school house, & Petition of Primus Welch & oth-
ers, for a new story & other alterations of the Smith School
house. Read & referred to the committee on public build-
ings on the part of this board, with such as the Common
Council may join to consider & report. Sent down for
concurrence. Came up concurred, & the Common Coun-
cil joined on its part the committee on public instruction.

The Committee on public 255.

Lands who were instructed to purchase two lots of land Primary
for primary schools, vizt one for district No 3. & the other Schools No. 3 & 4.
or for No. 4. reported as follows, viz. That they have con-
tracted with John Cushing for a lot for district No. 3.
on May Street between Garden & Butolph Streets for
two thousand dollars containing as per plan 1226 Squ-
are feet of land with an old building thereon, occupied
as a dwelling house. They also contracted with Fri-
rick Brum, executor of the last will & Testament of
Tristram Haynes late of Boston deceased, for an estate
situated on Spring Street place for twenty eight thou-
sand dollars, containing 1100 square feet of land, with a
one story brick house & other out buildings thereon.
This estate is centrally situated in the district, &
is advantageously located on a place where the chil-
dren may have the benefit of the same for play-ground
without being exposed to injury by the passage of car-
riages, which is respectfully submitted. for the Committee
Nathan Gurney. Read & Accepted. Sent down
for concurrence. Came up concurred.

The following petitions were Paving.
referred to the Committee on paving, vizt. Isaac W. Ha-
zelton to make arches under the side walk, and to
lay a drain across the street. Ralph Huntington to
have Suffolk Street completed. James J. Whitney,
& others, for leave to widen the side walk, opposite Concert
Hall & John T. Eliot & others, to have the side walk laid

256. in Blackstone street between Cross & Hanover Streets.
Also the remonstrance of Jonathan Thaxter, & others,
against having a well sunk in Minor street.

Auctioneers
revised.

The following persons were licensed
as Auctioneers, & their bonds approved: viz: William And-
rews. Benjamin Bruce. George J. Cook. Nathaniel J.
Frothingham. Julius A. Noble. Tristram B. Mackay.
Benjamin Poor & William A. Smith.

Streets.

The following subjects were ref-
erred to the Committee on Streets. Remonstrance of
M. Sargent against widening Snowhill street. Pet-
ition of William P. Jarvis, & others, to have Pleasant street
continued to Front street. Petition of Henry Tucker, and
others to have 11 street opened from Broadway to Second
street.

Greenough

Order to pay the heirs of David
Greenough, came up concurred with amendments, Read
& referred to the Committee on Streets.

Arnold.

The Committee to whom was ref-
erred the petition of Joseph Arnold & others, that a com-
mon sewer be laid through so much of Broad Street as
lies between Summer & East streets, reported, that the
prayer thereof ought to be granted, & the common sewers
be laid, & the expense thereof apportioned on all persons ben-
efitted. Whereby, under the direction of the committee on
common sewers.

Petition of Joel Nason, and 257.
others praying to be heard before the whole board, respecting Nason,
a common sewer from the Blackstone House to the Mills
Creek sewer. Read & thereupon resolved that the parties
be heard on Monday next 4 o'clock p.m.

The Committee on the petition Selby.
of William Selby, for a license for the National
Theatre for the ensuing season, reported, that a
license be granted as prayed for. Read & Accepted. National
Theatre.

The Committee on the petition of Washburn.
Jabez Washburn & al. for a license to exhibit a large
rat, reported, that the prayer of the petitioners ought
to be granted. Read & Accepted.

The Committee on the petition Williams
of John D. Williams, to have a nuisance abated in
South Market Street, reported, that it is not expe-
dient to construct the drain as requested & that therefore
the petitioner have leave to withdraw his petition. Read
& Accepted.

The Committee on burial grounds, Haver
reported the following order. Ordered, that the burial grounds.
Committee on burial grounds be authorized to erect a suit-
able board fence in front of the Haver burial grounds
so called, at South Boston, with a large gate in the cen-
tre of the same; provided, the Inhabitants of South
Boston will consent to their doing it & provided, that

258. Said sum does not cost over sixty dollars. Accepted & the order passed.

Broad
Street

Whereas the public safety & convenience appear to require that Broad Street near Piper's wharf should be widened. Therefore the committee on streets be authorized to negotiate with Solomon Piper to remove his buildings, & surrender by deed his land so required on the east side of said Broad Street, provided the damages to said Piper shall be relinquished for a sum not exceeding the sum of one thousand & ninety dollars, & that said committee be authorized to negotiate with Andrew Drake, for his land so required, & for the removal of his building, provided the same can be done for a sum not exceeding three hundred & four dollars.

Serrers.
Ann Street

Ordered, that there be paid to Daniel C. Serrers the sum of two hundred & sixty seven dollars, in full for one hundred & thirty three & a half feet of land taken from his estate to widen Ann Street near the marine rail way, on his giving a good & sufficient deed of the same, & releasing the City from all damages.

Engineer of
the department

William Barnicoat was nominated & appointed Chief Engineer of the fire department for the year ensuing. Sent down for concurrence. Came up concurred.

Jackson
Gibson Street

Petition of Francis Jackson, & others to have a street accepted & named Gibson Street

taken from the files & referred to the Committee on Streets. 259.

Resolve of the Common Council School
requesting this board to provide the customary School Dinner.
dinner on the fifteenth day of August instant. Came
up for Concurrence. Read & ordered to be placed on
file.

Mep^r Henry Smith, James G. Sanderson, Richard A. Newell, Fire Dept.
Charles A. Clark, John Shelton, Theodore Washburn, Thomas B. Warren, John Green, Asst^s Engineer
& Henry Fowle, Peter L. Jones, Thomas A. Williams, & George W. Wilkins, were nom-
inated & appointed assistant engineers of the fire department. Sent down for concu-
rence. Came up concurred.

At a meeting of the Board of
Aldermen of the City of Boston, held at City Hall, on
Monday the twentieth day of August, 1838.

— Present —

The Mayor & the whole board of Aldermen, except
Aldermen Farnam & Hayward.

Order of the Common Council Houses of
instructing the standing committee on the House of In- Industry.
dstry, Correction & Reformation, with such as the Correction
board of Aldermen might join, to consider the expedi- Reformation
ency of employing a permanent Chaplain at these Chaplain
Institutions. Came up for Concurrence. Read & Concurrence
& the committee on the Jail, Houses of Industry, Correction
& Reformation is joined.

The Committee on the erection of an East Boston School House at East Boston, who were instructed to report a plan & to recommend a sum to be appropriated to defray the expense of the erection of the said house, reported as follows, viz. They ask leave to report the accompanying plan, which corresponds with those of the School Houses that have been most recently built in the City & have been considered the best. The third story is to be left unfinished till wanted. They would also recommend that the sum of fourteen thousand dollars be appropriated for the erection of said School House, as being sufficient in all probability to cover the expense. Estimates have already been received which do not exceed that amount. They therefore recommend the adoption of the following orders. For the Committee. Saml. A. Eliot.

Ordered, That the Committee on Public Buildings be instructed to cause a School House to be erected at East Boston, on the lot conveyed for that purpose to the City by the East Boston Company, according to the plan herewith presented, provided the cost thereof shall not exceed the sum of fourteen thousand dollars. Ordered, That the Treasurer be, & he is hereby authorized to borrow, under the direction of the Committee on Finance, a sum not exceeding fourteen thousand dollars, to be appropriated, to the erection of a School House at East Boston. Passed in Common Council. Came up for concurrence. And on the question of concurrence The yeas & nays being required agreeably to the rules of the City Council & were taken as follows, viz. Yeas Aldermen Wetmore, Gurney, Hunting, Richardson, Harris & Brimmer. 6 nays none. So the same passed in concurrence.

Order of the Common Council 261.

committing the last quarterly account & report of Allen
the Superintendent of Allen passengers, to the passengers
Committee on accounts. Came up for concurrence,
Read & concurred.

The joint committee on pub- City's Wharf
lic buildings to whom were referred the application Commercial Street
of the Superintendent of Streets, for the erection of a "Kendall."
Building on the wharf belonging to the City at the Market Wall,
North end, suitable for the storage of articles of various
descriptions, & also the application of W. H. "Kendall" for
the terms on which the Hall over the Market can be leased,
reported as follows, viz. That in their opinion, the build-
ing asked for by the Superintendent of Streets is very
necessary. There is now a small shed on the premises,
which is in a very dilapidated condition, & is too small
to contain the numerous articles of city property which
ought to be preserved for future use. The Superinten-
dent has obtained estimates of the cost of such a frame
building as would be sufficient & suitable, in the opinion of
the Committee, & finds it would amount to fifteen hund-
red dollars. The Committee therefore, recommend the
adoption of the order hereto annexed in relation to
that subject with regard to the lease of the Hall
over the market. The Committee attempted without
success to lease it for a term of years by auction at
a rent not less than has been paid for it for sev-
eral years past. Under these circumstances they deem
it expedient to lease it for a short period, and

282. They have accordingly contracted with Mr. Kendall for its use for one year from the first day of September next at the rate of Twenty five hundred dollars per annum. Respectfully submitted, for the committee, Saml. A. Eliot. Ordered. That the Committee on public buildings be authorized to erect a building for storage, in the wharf belonging to the city known as Brown's wharf, at an expense not exceeding fifteen hundred dollars, & that the cost of the same be charged to the appropriation for Repairs of Public Buildings. Read & Accepted. Sent down for concurrence. Came up concurred.

Olney,
Eliot School
House.

The joint Committee to whom were referred the petition of Stephen W. Olney, and others, to have the Eliot school house enlarged, and a communication from the School committee respecting the enlargement of the Adams & Smith School Houses, reported as follows. viz. With respect to the Eliot School house, that in their opinion it is inexpedient to grant the prayer of the petition for the following reasons. The house is to be of the same size with the other school houses which have been erected in the city, the last five or six years. It is also to be constructed on the same plan of the interior, with regard to the arrangement of the seats, master's desk, platform &c. as the best school houses in the city, with ample provision for ventilation, & keeping the apartments in a wholesome condition. The size of these recent school houses was fixed upon, not without consideration,

but with particular reference to the suitable accommodation of such a number of pupils, as it was deemed expedient to collect in one room. Various considerations had their weight on this point, relating as well to the probable convenience of neighborhoods, as to the number of children that ought to be placed under the general management of one master. The Committee are not aware of any peculiar circumstances in the situation of the Eliot School which should render it an exception to the general plan. If the same number of children can be equally well accommodated in that, as in the best of the other school houses of the city, it seems all that can reasonably be asked. If more room be given there, it must be given in all the other school houses, or injustice would be done. The Committee were also deterred from recommending the alteration proposed, by the fact that a contract had been already executed for the erection of the school house, & some progress actually made in its construction; so that the probable cost of the change would be very heavy, if not quite as great as if the house were completed. Another circumstance which influenced the Committee is that they are about to recommend the erection of another school house in the northern part of the city, during the next summer, viz. in Ward 3. Should this be done every difficulty suggested by the petitioners would be at once removed, with regard to the room which the masters of the Adams School

264. request to have added to their house. The committee are of opinion that it is not necessary, but that some accommodation should be provided for the philosophical apparatus belonging to the school. Understanding that this is in contemplation by the committee who are attending to the alterations & repairs of the house, they ask to be discharged from the further attention to the subject. A third petition was referred to this committee, viz. for adding another story to the Smith school house. Signed by a great number of the people of color in this city. The reasons offered for this request did not strike the committee as presenting any great necessity for the expenditure. They believe the accommodations afforded by the Smith school house are sufficient for the present daily wants of the pupils, & that it will be time enough to enlarge the house when the number of children attending the school shall be greater or when the "full scientific instruction" referred to in the petition shall become a matter of more pressing importance in their education, with this view they would recommend this subject to the attention of the next City Council. All which is respectfully submitted. For the Committee, Saml. A. Eliot. Read & accepted. Put down for concurrence. Came up & concurred.

Phillips
Ordered, That the report made by the committee on passing on the petition of John S. Phillips & others, to have Tremont Street paved from Pleasant Street to the crossing of the Worcester Rail Road, be recommended to the same committee with instructions,

to ascertain whether said Rail road Corporation are desirous to raise the road & build a bridge, so as to have the train of Cars &c. pass under the same.

Application of D. Bobij a publican Bobij. Exile for a License to give a few evenings entertainments with the Launce at Sheridans rooms, Resolved to the Committee on Licenses with full power.

Ordered, That the Committee Common. on the Common be instructed to repair the stone wall around Pond in the pond in the Common in such manner as they may deem expedient, provided the expence shall not exceed the sum of two thousand dollars.

Ordered, That the Committee on Washington paving be instructed to inquire into the expediency of repairing that part of Washington Street beginning at Oliver Street & ending at Warren Street.

The Committee on paving, to Ayres. whom was referred the petition of Charles M. Ayres, Berry Street. to have a part of Berry Street repaired, reported an order to cause the same to be done. Read. Accepted & the order passed.

Ordered, That the Committee on public buildings be instructed to cause the Clock of the Old South Church to be repaired & the dial & hands to be renewed, provided the expence shall

266. not exceed the sum of Two Hundred & fifty dollars.

Nason.

Ordered. That the hearing on the petition of Joel Nason, & others, be further postponed to Monday next, 11 O'clock p.m. & that the petitioners be notified then to attend, if they see fit.

Allen.

Petition of Ezra Allen to be relieved from an apportionment for a common sewer Commercial Street. Referred to the Committee on drains & sewers.

Parker.

Petition of M. S. Parker, & others, for a common sewer in Front Street. Referred to the Committee on drains & sewers.

Whitcomb.

Application of Levi Whitcomb to be appointed a funeral undertaker at East Boston. Referred to the Committee on burials, ground &c.

Wells.

Petition of Titus Wells & others to have State Street macadamized or paved with wood or small paving stones. Referred to the Committee on paving.

Foster.

Petition of William Foster, & others, to have a well sunk in Third Street. Referred to the Committee on paving.

Stemmel.

Petition of Caleb Stemmel, praying that measures may be taken to relieve him from

The top water which in heavy rains flows from Ches. 2^d f.
nut Street & other streets into the drain in Charles Street,
which causes an immediate rise in the drain & is forced
through the same & even the premises of the petitioner. Ref-
erred to the Committee on paving.

Petition of Joseph Page & Page
others, to have a nuisance abated which is caused by
stagnant water in laundry holes in the Back bay.
Referred to the Committee on Internal Health.

Jabez Hatch & Silas Field li. Auctioneers
ceased as Auctioneers, & their bonds approved. Unsuccessful.

The Committee on the pet. Jackson
ition of Ebenezer Jackson to be relieved from an assess-
ment for a common sewer, reported as follows. viz.
That the statements therein made are true & that
the petitioner ought not to have been assessed for the
expense of the sewer in Devonshire Street, he not being
benefitted thereby; & that the amount paid by him, for
the same, ought to be refunded, said amount being
seven dollars & 20 cts & they submit the following order,
Thos. Wetmore for the Committee. Ordered That there
be paid to Eben Jackson seven dollars & twenty cents,
the same having been improperly assessed on & paid
by said Jackson for a common sewer in Devonshire
Street, & that the same be charged to the appropriation
for common sewers. Read. Accepted & the order
passed.

268.

Abbot.
Chamber,
Mass.

The Committee on the petition of George W. Abbott to be relieved from the payment of an assessment for a common sewer in Chamber street, reported, that the facts set forth in said petition are true, & that the additional assessment ought to be abated. : Read & accepted.

Inspector of
Prisons.

Report of the Inspector of Prisons of the several places of confinement in the County of Suffolk, which has been printed for the use of the members of the City Council, was ordered to be sent down.

Adjourned to Monday
next. 4 O' Clock p.m.

At a meeting of the board of Aldermen of the City of Boston, held at City Hall, on Monday the twenty seventh day of August, A.D. 1838.

Present.

The Mayor, & the whole board of Aldermen except Alderman Farnam.

Parker.
New Street.

The Committee on the petition of M. S. Parker, & others for a common sewer in Trent street, reported, that an order of notice

in the usual form returnable on Monday next 2^h 9.
4 O'clock P.m. Read. Accepted & ordered ac-
cordingly.

Jabez Pratt Licensed as an Auctioneer.
Auctioneer & his bond approved.

Ordered, That the hearing of Nason
Jed Nason & others, be further postponed until
Monday next. 4 O'clock P.m.

Sheriff Sumner's account Sheriff
amounting to \$37.80 allowed. Sumner.

Petition of Thomas Barry, Barry.
for a license for the Tremont Theatre. Referred, Tremont
to the Committee on licenses with full power. Theatre

Petition of W. B. Stone & Stone.
others, in aid of the petition to have State Street
paved with wood. Referred to the Committee
on paving.

Petition of Billings Briggs, Briggs
& others, for leave to open a well in Gouche Gouche
Street, for the purpose of lengthening the Street.
leadern pipes. Referred to the Committee on
paving.

Petition of the South Cove South
Corporation to connect Bruner Street Drain Cove
with that of Harvard Street. Referred to the Corporation
Committee on drains & sewers.

276. Petition of Jedediah Tuttle,
Tuttle & others, to have Summer Street widened. Referred
Summer Street to the Committee on streets.

House of Industry. Communication from the Direc-
Children's Asylum. tors of the House of Industry, inclosing a communica-
tion from the Rev. George F. Waskins, Chaplain &
Master of the Children's Asylum relative to the con-
tinued prevalence of Ophthalmia, & recommending
the removal of the children now affected with the
disease. Referred to the Committee on the House
of Industry, Correction & Reformation.

Adjourned to Monday
next. 4 O'Clock p.m.

A meeting of the Board
of Aldermen of the City of Boston, held at City
Hall, on Monday the third day of September, A.
1838. Present.

The Mayor, & the whole Board of Aldermen ex-
cept Alderman Gurney.

Bradford. Petition of George Bradford &
Hinchman & others, to have Hinchman Lane widened. Referred
to the Committee on streets.

P
Petition of John Haymer, & others, 271.
to have Union Street widened. Referred to the Committee on Haymer.
Streets Union Street.
Petition of Washington Maurice, Maurice
to have Peacen Street widened. Referred to the Comm. Peacen Street.
Committee on Streets.

P
Petition of Jacob Wall, and. Wall
Robert S. Badger, for leave to sink a well in Snow-Snow Hill
Hill Street. Referred to the Committee on paving. Street.

P
Petition of Josiah Dunham, Dunham.
for leave to sink a well in Turnpike Street. Ref Turnpike
Street. Referred to the Committee on paving. Street.

P
Petition of Aaron D. Williams, Williams
& others, that the sale of fruit, vegetables &c. may be Market &c.
prohibited, to be sold on the side walks of the Market
house. Referred to the Committee on the Market.

P
Petition of William Coffin Coffin
to have the Common sewer in Essex Place examined Essex place
& that the same be extended to the line of the South
Core land. Referred to the Superintendent of drains
& sewers.

P
Petition of Abel Phelps, that Phelps
a well be sunk on the Citrus land near Cooper Street, Cooper
& that he be permitted to take water from the Street.
same for the use of his estate adjoining, upon such
terms as may be deemed equitable. Referred to the Com-
mittee on public buildings.

272.

Cattin.

Petition of George Cattin, for
the use of Faneuil Hall, for the purpose of exhibiting
his Indian gallery of painting, dresses, ornaments
&c. Referred to the Committee on public buildings

Broad Street

The Committee on Streets to whom
was referred an order respecting the widening of Broad
Street, reported, that they had called upon Messrs. Se-
mon Piper & Andrew Drake, who decline to accept
the price offered for their land & buildings. The commit-
tee therefore ask to be discharged. Read, Accepted &
ordered accordingly.

Broad Street

Ordered, That the Committee
on Streets be authorized to widen Broad Street, by taking
one hundred & fifty two feet of land from the estate of
Andrew Drake; provided, the same can be done at
the expense of three hundred & four dollars, & that said
Drake remove his building from the premises at his own
expense.

House of

Industry.

Ophthalmia

The Committee to whom was
referred the communication of the Directors of the
House of Industry on the subject of the prevalence
of Ophthalmia among the children of the Boylston
Asylum, reported as follows, viz. That this disease is a com-
mon one in crowded hospitals, & one which it has been
found very difficult to eradicate. It is now & has been
for a long time, of a virulent character, & as the season of cold
weather approaches, it is probable that it will become,
as heretofore, still worse than in summer. The number

of patients is now so far reduced that it is extremely 273.
desirable to seize the occasion to adopt, if possible, some
means of more than common efficiency, that the disease may
be either eradicated, or so far modified as to render it con-
trollable with less constant attendance than has been
necessary on the part of the Physician of the House. He is
whole time has been almost engrossed by the laborious at-
tention requisite to this dangerous disorder, & even with
the assistance of a skilful oculist, he has barely been
able to reduce the number of patients, without extermi-
nating the disease. The Directors suggest the removal,
for a time, of the patients to some place where they
would breathe a different atmosphere, be free from
the operation of the causes, whatever they are, which
produce the disease in that spot. a similar measure
has been tried in a similar Hospital at New York, with
a good degree of success. The committee are of the opin-
ion that it will be found worth trial here. Nothing else
has occurred to the Committee as likely to produce any
material improvement, except cutting off the com-
munication with the House of Industry, & giving the
children larger & better ventilated apartments than
they now have. The experience of all Hospitals, it is
believed, will confirm the view entertained by the
Committee, that nothing is of more importance to the
promotion of health, & the prevention of general
disease than a free circulation of pure air. It is
always very difficult to effect, but when obtained,
amply repays the cost or the trouble of procuring

274. It. In the Massachusetts General Hospital a more perfect system of ventilation is believed by some of the Physicians to have greatly diminished the liability to erysipelas. There seems to be nothing else in the situation of the children which requires improvement in order to guarantee them, as far as possible, against the danger of sickness. Their diet, clothing, & personal cleanliness are sufficiently provided for, but neither the sleeping apartments, nor the school rooms are large enough for the great numbers put into them, nor are they properly ventilated. In general, those who are brought to the establishment, by parents whose poverty requires such a relief, are found to be in the feeblest condition & are therefore the most liable to take & continue the contagion of the disease, & thus, though they improve in general health, it is found impossible to exterminate the calamitous disorder. The committee are impressed with the importance of this measure, even if the number of children in the institution should greatly diminish & recommend the passage of the following order. For the Committee, Saml. A. Eliot. Ordered. That the Committee on the houses of Industry &c. with such as the Common Council may join be authorized to hire a building at some convenient distance for the purpose of removing children now in the Hospital, suffering from ophthalmia with such nurses as may be necessary, to take proper care of them. Ordered. That the same committee be instructed to procure a plan

& estimates of a building of not less dimensions than 275.
The one now occupied by the children of the Boy's Home
Asylum, to be added to it for the same purpose; said
Plan & estimate to be reported, as soon as may be, to the
City Council. Ordered. That the same Committee
be instructed to change the mode of communication be-
tween the Asylum & House of Industry, in such manner
that there shall be a space of open air between them.
Read & accepted. Put down for concurrence. Came
up concurred, & the standing committees on the House
of Industry, Correction & Reformation were joined.

The Committee who were Curtis's
appointed to consider & report on the petition of Am. Will-
iam D. Curtis, respecting certain legacies left to the
City by said Ambrose, upon certain conditions, rep-
orted as follows, viz. It will be seen by reference to
the will, as stated in the petition, that the sum of
\$5,000 is given to the City, from which it is to derive
no benefit, till it has accumulated to the amount of
\$3,000,000; & that then it is to be devoted to the erection
of an exchange with shops & stores; that the like sum
of \$5,000 is given, but thence with an annuity con-
suming the whole income for three lives, & after that,
the income is to be devoted to the purchase of books
& stationery for poor children in the public schools;
the sum of \$2000 is given to accumulate & 800,000,
& then to be used for the establishment of a school
to teach navigation to sailors, & another sum of

27b. \$2000 to accumulate to \$200,000 & then to be spent
in the erection of public stone baths. It will be
observed that these conditions, if practicable, are
very onerous; so much so, that it might well be
thought of doubtful expediency, whether the City
should undertake a charge of such heavy respon-
sibility for so great a length of time as must be
required, to fulfil these conditions. Indeed, the
Committee, from such considerations as have occur-
red to them, or have been suggested by persons of sound
judgment, have come unhesitatingly to the
decision that it would be inexpedient to accept the
bequest on the terms on which they were made. Some
of these considerations the Committee will now state.
With regard to the bequest for the benefit of the chil-
dren of poor parents at school, not only is its benef-
icial influence to be deferred till the expiration of
three lives, which of itself, is deemed by those best qual-
ified to judge upon such points, an insuperable obj-
ection to receiving it; but supposing the City, in the
full enjoyment & use of the fund, would such use
prove ultimately beneficial? The Committee entertain
the belief that there is so much danger of ill
effects flowing from it, rather than good ones, that
they would still be disposed to decline receiving it.
The case of such great depression from poverty that
the proper books cannot be provided for children
by their parents, is of comparatively rare occurrence
now, when no provision is known to exist for supply-

ing the want; & whenever it really occurs, there can 277
be no practical difficulty in obtaining from the
public authority, or from benevolent individuals,
the requisite aid. The sub-committees of the various
schools, it is believed, always consider this matter
an important part of their duty; & there is no reason
to doubt that it is performed as well as the other bran-
ches of their laborious task. But if it were general-
ly known that a fund, however small, existed
from which pupils could be drawn, not only
would the number of applicants greatly increase,
but in all probability they would so far exceed in their
wants the means derived from the fund, as to cause
heavy expense to the City to meet demands of ex-
actly the same character with those granted, while
a great part, perhaps the larger portion of the whole
expense, would be not merely unnecessary, but positively
injurious in its effects both upon the parents & the
children. It is a well known principle in human
nature, that what is easily obtained is lightly esteemed;
& if there were any royal road to education itself, it
would soon cease to be regarded, as it is, & ought to be,
as the most important of privileges & blessings. For
this reason the Committee would be inclined to re-
fuse the bequest, even if it were untrammelled by bur-
densome conditions. But under the actual circumstances
of the case, they would consider its acceptance as
only imposing a new tax on the City for an in-
judicious & injurious purpose. This is the only

27/8. one of the bequests of which the principal sum is not
to accumulate to great amounts, previous to its being us-
ed at all; & the disproportion between the sums given,
& those which are contemplated as the result of accu-
mulation, is so great as to lead one to doubt the sound-
ness of the mind which could seriously entertain
such dreams of magnificent usefulness. So vast is
the length of time which must elapse before the sum
proposed can by any possibility be gathered from ac-
cumulation; & so much more vast is the remoteness of
the period at which there is any probability of this
result being reached, that if the several objects, for
which the bequests are made, are not sooner obtain-
ed, it must be considered as a demonstration that they
are not wanted, or are not practicable. Great im-
provements do not linger in their progress in this
country, for scores, or as it might be, hundreds of
years. They do not wait for \$5,000 to become \$200,000,
nor for \$2,000 to become \$200,000. The immense build-
ing, of which part is to be used as a merchants' ex-
change, is to contain shops & other rooms to be rented
by the City, & the proceeds are to be devoted to the
maintenance of a reading room. But it seems
difficult to imagine in what way such great
sums as might be derived from the rents of a
building of that size well situated, could be spent
upon so comparatively insignificant an object
as a reading room. This is one of the inconsis-
tencies which are obvious in these bequests, and

cannot fail to be regarded as an indication of 279.
The state of mind of the testator. Thus also it ap-
pears to the Committee that the income of \$200,000
is a much larger sum than can be profitably
spent upon a school to teach navigation to sail-
ors, & that in providing a large sum for public baths,
without making any arrangement for the care and
other current expenses of such establishments, an
oversight was committed indicative of some inatten-
tion in one who was engaged in the serious bus-
iness of disposing of his property by will. There is
no very great precision either in the phrase "Stone
Baths": Does it, or does it not, require that the build-
ing used for the baths should be of stone? Does
it, or does it not require that such building, or
buildings, shall be erected from this fund, or shall
the whole amount go for stone bathing tubs? These
suggestions will serve to point out some of the doubts
which might be made to embarrass the City in
whatever course it might adopt in relation
to these legacies. It is fairly to be presumed that
parties interested, with the aid of legal acuteness,
would start innumerable other difficulties not less
troublesome. The Committee have thus far reason-
ed on the presumption that the great and long ac-
cumulation prescribed in the will of Mr. Curtis might
be regarded as possible, & even probable. There are
many considerations, however, which would go
far to convince those who reflect on the subject,

280. That such a prolonged accumulation is neither probable nor possible. In a world, of which the most prominent characteristic is mutability, where nothing but a few great features remains, for any considerable period, unchanged, & where every thing which depends on human agency is subject to the combined chances of change arising from the ordinary laws of God's Providence, & the imperfection, ignorance & volatility of man, (who, to some extent, is allowed to pursue the course his judgment or his passions may dictate,) it seems nothing short of a wild presumption to attempt to chain down the course of action for successive generations, & to require this or that to be done by our successors, of whose character, condition, wants & wishes we know, & can know absolutely nothing. (And all experience confirms this view of things. It is not the first time that the attempt has been made, but in every instance known to the Committee, the failure of such prospective arrangements has been signal & entire. Perhaps the two most remarkable instances are those of Franklin & Shelburne, well known cases which will naturally occur to all, as warnings rather than examples. The scheme of Franklin was an eminently benevolent one, & devised apparently with all the sagacity & prudence for which, among other things, that great man was justly celebrated. No one could have anticipated its failure;

And yet both in Boston & Philadelphia his plan 281.
for aiding young mechanics has been almost entire-
ly useless, as very few ask for aid on the conditions
imposed, & the funds he bequeathed to the several cit-
ies, instead of amounting to \$50,000, as according to
his calculation they should do at this time are
about \$20,000 in Boston, & about \$14,000 in Phil-
adelphia. This has happened through no fault
of the trustees or agents, but simply because hu-
man sagacity, however great is not sufficient to
penetrate the future, & adapt its directions to cir-
cumstances which it cannot foresee. The case of
Thelapson is still more remarkable. He bequeathed
a large amount of property which was to be
allowed to accumulate for several generations.
But from circumstances he did not foresee, the
property has scarcely accumulated at all, &
there is now little probability that it will. Thus
it happens that if, as is said, he who gives with
promptness adds value to his gift, he who delays
his benefaction to a remote futurity, diminishes
its worth to an inappreciable insignificance.
Mr. Curtis's will, if had been made with all
the wisdom of Franklin, would probably form an
exception to what seems to be the rule in such cases.
But there are circumstances, even now appar-
ent, which render it far less likely to be carried to
a successful result, than either of those which
have been referred to. The Committee have hinted

282. already, that the provisions of the bequests to the city were, in their view, somewhat inconsistent with what might be considered a sound state of mind. But there are other legacies, still more extraordinary, contained in the will, which appear to render the opinion that the testator was not of sound mind, a very tenable one. The first step therefore to be taken under the will is a controversy, & one which may be indefinitely continued. With these views & feelings the Committee have come decidedly to the conclusion that it is for the interest of the City to decline accepting the legacies of Mrs. Curtis on the conditions annexed, & if they are to be declined on those terms, the Committee submit their opinion that it would be little becoming in the City to demand any thing in the way of compromise for bequests which the City itself declares are of no value to it. The Committee will add only one remark, viz: that if all the singular legacies of this will should be declined, & the property be suffered to take that natural course from which few men would have been disposed to turn it, not only will it become immediately useful, but it will fall into hands which, as the Committee are happy to learn, will be likely to make a proper & honorable use of it. This, if not an argument for adopting the course recommended, at least obviates any objection which might arise in relation to that point; & may perhaps,

284. heard before the Board. And after deliberations & advisement, it is thereupon ordered. That the petitioners have leave to withdraw their petition.

Barry.

The Committee to whom was referred the petition of William Barry, praying that the matter between him & the City may be referred, reported as follows, viz. That in their opinion, it is expedient that this subject should be so referred. It is one of those cases which, while easily intelligible, would only be embarrassed by the technical rules which govern the proceedings of Courts of law. it is very desirable that a matter of so small importance, except from the annoyance it has caused to all the parties interested, should be adjusted satisfactorily, & to this end the committee recommends the adoption of the following order. For the Committee Saml. A. Eliot. Ordered. That the Committee on public buildings be authorized & instructed to cause the matter in controversy between the City & William Barry to be referred to such impartial persons as shall be mutually agreed on by the Committee & said Barry, & that the decision of said referees shall be final & binding upon both parties. Read & accepted. Sent down for concurrence. Came up Concurred.

Cedman.
Cromwell Street.

The Committee on the petition of Henry Cedman, reported as follows, viz. That no action of this Board is necessary in relation to

The line & elevation of the street, other than that the 285.
building be placed on the same line & elevation which
the late building occupied. And also that the petition-
ers have leave to construct arches under the side
walk for the deposit of coal & other articles, provided
the work be permanent to the satisfaction of the
Committee, & removable at the pleasure of this board.
For the Committee. Nathan Gurney. Read & Accepted.

The Committee on the petition of Thomas W. Maskins & others, to have a com- Dock
mon sewer removed in Dock Square, reported, that Square
it is not expedient to grant the prayer of the pet-
itioners & that the Committee be discharged. Read
& accepted.

The Committee on the petition of Daniel
of Danuee Dana's heirs, to be relieved from the pay-
ment of an assessment made upon them for a Street.
common sewer in Grove Street reported, that it
is not expedient to grant the prayer of said pet-
ition & that the Committee be discharged. Read
& accepted.

An Order to pay the heirs Greenough.
of David Greenough passed as taken into a
new draft, as follows, viz: Ordered, That
there be paid to the heirs, representatives or assigns
of the estate of David Greenough deceased the
sum of One Thousand & eighty dollars & twenty three
cents, with interest from the first day of January

286. 1833. in part satisfaction & discharge of a certain covenant or obligation of Indemnity given by the City of Boston to said David Greenough bearing date on or about the 20th day of August 1833. whereby the said City has covenanted to indemnify the said Greenough & his heirs & assigns, in a sum not exceeding three thousand dollars, in the whole, against any claims that should be made to the fee in a certain passage way called Butler's Row in said City. as by reference to said Covenant will more fully appear. The sum hereby granted being in full satisfaction of the claims made by Envelope W. Seton in the premises, and to be endorsed on said obligation accordingly. Put down for concurrence. Came up Concurred.

Parker.
Trent Street. On the Petition of M. S. Parker,
& others that a common sewer be laid in Trent Street. And now it appearing to this board that notice has been given agreeably to the order passed at the last meeting of this board, & in person appearing, to object: it is therefore ordered, that the Committee on drains & sewers be authorized to cause said sewer to be laid, & apportion the expense thereof upon those whose estates shall be benefitted thereby according to law.

Allen. The Committee on the Petition of Ezra Allen, to be relieved from the payment of an apportionment made upon him for a common sewer in Commercial Street, reported, that it is not expedient to

grant the prayer of the petition, & that the Commit- 287.
tee be discharged. Read & accepted.

The Committee on the petition Field,
of Pearson H. Field, & others, to be relieved from the Castle Street
payment of an assessment for a common sewer
in Castle Street, between Suffolk & Washington Streets,
reported as follows, viz: That for the facts stated in
the within petition the assessment ought to be recon-
sidered, & one fourth part of the amount assessed on
the several estates lying between Washington Street
& Suffolk Street, excepting however the several es-
tates of Edward Tuckerman & the Brewery estate
of George Odier, ought to be abated. For the Comm-
ittee Thos. Wetmore. Read & accepted.

The Committee on the petition Woodward,
of Elisha Woodward, & others, to have Lancaster Street
paved, reported, that it is inexpedient to pave said Street.
Street as it has lately been gravelled & put in good
order. Read & accepted.

The Committee on the petition Sanford,
of Samuel Sanford, & others, to have Berry Street
paved, reported, that said Petitioners do not require Street,
any action of this board as the necessary repairs have
been made by an order passed twentieth of Aug-
ust last. Read & accepted.

132nd.

The Committee on the petition of Albert. & Brut. & others, to have that part of the street at South Boston running easterly from the Mount Washington stable to the point repaired, reported, that they have examined said street & caused the necessary repairs to be made. Read & Accepted.

Wool
Street.

The Committee on the subject

of repairing Wool Street, reported, that some repairs ought to be made, & recommended that the Committee on paving be authorized to cause the same to be done. Read & Accepted.

Briggs.

The Committee on paving to

whom was referred the petition of Billings Briggs, & others, for leave to open a wall in South Street, reported, that the prayer of the petition ought to be granted. Read & Accepted.

Jarrell.

The Committee on the petition

of Jacob Jarrell for a license to sell straw, reported as follows, viz: That the powers of the board on the subject is restricted to the establishing of suitable places in the City for the sale of Hay & Straw & that it is not expedient at the present time to appoint any more such places than those which now exist. nor do they deem it proper to propose any alteration of the Ordinance by which any persons may be permitted to sell by retail from place to place, Hay or straw, without first having the same weighed

at the public scales, & they ask to be discharged. For the 289.
Committee. Tho. Wetmore. Read & accepted.

The Committee on the petition Jackson,
of George Jackson to have Concord Street graveled - Concord Street,
reported as follows, viz. That they have caused the
necessary repairs to be made on that part of said
street, leading from Washington to Tremont Street.
They also report, that it is inexpedient to grade
that part of Concord Street leading from Washing-
ton to Front Street, the present season. For the Com-
mittee Thos. Hunting. Read & Accepted.

The Committee on the petition Tuttle,
of Jedidiah Tuttle, & others, praying, that the Cor. Summer
or part of Summer Street be widened, reported Street,
as follows, viz. That said Summer Street requires
only 1/4th of land to complete the widening of
it to Purchase Street. The strip now wanted has
nothing but an old wooden fence upon it & there
can never be a better time to take it. The Comm-
ittee have accordingly prepared & recommend
the passage of the accompanying resolution for
the purpose, which is respectfully submitted.
For the Committee. Henry Farnam. Res-
olved, That the safety & convenience of the
Inhabitants require that Summer Street be wid-
ened near the corner of Purchase Street, there-
fore Ordered, That the same is hereby wide-

290. and by taking a piece of land from the estate of Amasa Murdock, Jr. as follows, viz. Beginning at the corner of Summer & Purchase Streets—thence running northeasterly seven feet eleven inches, thence westerly twenty eight feet eight inches, thence southerly six feet to Summer Street. thence easterly on the present line of said Summer Street, twenty four feet eight inches, to the place of beginning taking from the land of said Murdock, one hundred seventy four & one third feet according to a plan drawn by Mr. S. P. Fuller dated August 1836. Read & Accepted & the resolve passed.

recorded
before.

The Committee to whom was referred the petition of Jedidiah Tuttle, & others, praying, that the lower part of Summer Street be widened, reported as follows viz.

Sage.

The Committee to whom was referred the petition of Joseph Sage, and others, respecting a nuisance on the border of the receiving basin, reported as follows, viz. That they have examined the same & find that a great nuisance exists as set forth in the petition, which ought to be abated as soon as possible. The Committee are of opinion that the City Marshal, be directed to notify the owners of the upland, to cause said nuisance to be immediately abated.

either by removing the filth or covering the same 291.
with earth, & that he be directed, likewise to
ascertain the state of the drains & sewers public
or private in that vicinity crossing Church Street.
For the Committee. Jos. W. Hayward.

Read & accepted.

Adjourned to Monday next,
four O'Clock P.M.

At a meeting of the
Board of Aldermen of the City of Boston, held
at City Hall, on Monday the tenth day of Sep-
tember, A.D. 1838. Present.

The Mayor, & the whole Board of Aldermen,
except Aldermen Hayward & Brewster.

Ordered, That S. P. Put- Tupper
Esq., be requested to draw a plan of all the streets Fort Hill.
that lead from the top of Fort Hill, that have
not been accepted as public Highways, including
the City Land, that lay upon the northeast side of
said Hill.

The Committee to whom was referred the communications of Charles Wendley & City Hall,
S. C. Hewitt, relative to the lease of a shop in the
cellars story of the City Hall, reported as follows

292. viz. That after having investigated the subject they have ascertained that neither party was entitled to the lease, but that Mr. Lincoln was. They have accordingly renewed the lease of Mr. Lincoln for the term of three years. For the Committee. Saml. A. Eliot. Read & Accepted. Sent down for concurrence. Came up concurred.

Catlin.

The Committee to whom was referred the petition of George Catlin for the use of Sanson Hall, for one month, for the purpose of exhibiting his collection of Indian curiosities, reported as follows, viz. That in their opinion, the collection is one of such extraordinary interest, is such an admirable monument, as it were, to the memory of tribes of men who have ceased to exist, or who are rapidly vanishing from the earth, that every reasonable facility ought to be given for the gratification of the public curiosity on the subject. They recommend, therefore, that the prayer of the petition be granted, on the terms mentioned in the petition, & on the further consideration that if required by this Board, the petitioner shall remove all his property at thirty days notice. For the Committee. Saml. A. Eliot. Read & Accepted.

Lawrence.

Petition of Amos Lawrence

Tremont. To have a part of Tremont Street & West Street paved with wood. Referred to the Committee on paving.

Petition of John Sheridan, 293.
for a license for the establishment of a Shooting Sheridan.
gallery. Referred to the Committee on Licenses. Shooting Gallery.

Ordered, That the Committee Streets &c.
on Licenses with such as the Common Council shall
join, be a committee to consider & report, if any
alterations are necessary in the ordinance establish-
ing the office of Superintendent of Streets & prescri-
bing the duties thereof; to prevent unlawful and
injurious practices in the streets of the City and
in relation to side walks. Put down for concu-
rence. Came up concurred, & the Common Coun-
cil joined on its part (Messrs Chapman, J. Par-
ker, Whiton & Hudson).

Petition of David Ware, Harwood,
wood, & others, for a common sewer in Shawmut Shawmut
Street. Referred to the Committee on drains & sewers. Street.

Petition of William Synn, Synn,
to have an apportionment made upon him for a Tullin
common sewer in Tullin Street, reduced. Referred to the Committee on drains & sewers. Street.

Petition of Seth Copland, Copland,
to be relieved from the payment of an apportion-
ment made upon him for a common sewer
in Fruit Street. Referred to the Committee on

294. drains & sewers.

Coffin.

Epsom
place.

Ordered, that the report
of the Committee on the petition of William
Coffin to have the common sewer in Epsom Place
extended & carried to the South Cove Land. be
referred to the committee on drains & sewers.

Doolittle.

Market.

Petition of Lucius Doolittle
He. & others, praying that the vendors of fruits and
vegetables may not be removed from the side
walks of the Market house. Referred to the Com-
mittee on the Market.

Public lands.

Superintendent

The Superintendent of
Public Lands communication respecting the
Land of the City on Fort hill. Read & filed.

Wade.

Manure Avenue.

Petition of John Wade, Jr.
to have Manure Avenue widened & straight-
ened. Referred to the Committee on Streets.

Common sewer.

Support Street.

The Superintendent of
Drains & sewers made a report of the cost and
appropment of a common sewer in Support Street.
Read & passed & thereupon ordered that said
Superintendent make out the several bills &
Lodge them with the City Treasurer for collec-
tion.

Superintendent

Allen J. J. J. J.

The account of the Superint-
endent of Allen J. J. J. J. Read & sent down.

The Committee on Elijah J. 295

Weatherbee's notice of building on 'Summer' Street. reported. Weatherbee-
That it is inexpedient to take any of said Weatherbee's land at present to widen said street & ask to be Street
discharged. Read & accepted.

The Committee on the petition Jackson
of Francis Jackson & others. to have Distic house street. Distic house
accepted. reported as follows. viz. That said Distic Street.
house street requires raising & grading. There are
no permanent buildings upon it except the Brew
house & the Gibson building so called. It is believed
that this acceptance would operate more for private
benefit than for public good. The Committee are
therefore opposed to it, & ask to be discharged. For
the Committee Henry Tarnam. Read & accepted.

The Committee on the petition Rayner.
of John Rayner & others. to have Union Street widened. Union
reported as follows. viz. That said estate is leased to said Street.
Shipley during the life of the widow Johnson who is
said to be about 65 years of age. Mr. Shipley has a
bake house on the premises & this cutting will run
directly through the centre of his corn. & there is not
room enough on the premises to erect another. said
Shipley says that it will be a damage of \$500.
per year to him during the extent of his lease.
The land required will be 645 feet valued at
about \$1400. The street is now 40 feet wide & no

296. great improvement is perceived in the travel at the present time. The Committee are of the opinion that said cutting ought not to take place during the life time of said widow Johnson, unless the travel should greatly increase, & ask to be discharged. For the Committee. Henry Tarnham Read & Accepted.

Storrell.

The Committee on the petition of Caleb Storrell, to be relieved from a nuisance caused by the water flowing into his cellar, reported as follows viz. That the land between said Storrell's house and the drain in Hitchin Street falls only a half an inch in about one hundred & sixty feet & is therefore too level for the purpose of the contemplated drain, and they therefore ask leave to be discharged from the duty imposed upon them as above stated. They also report that they have caused a hollow plug to be attached to Mr. Storrell's drain which they think will remedy the evil he complains of. For the Committee Thos. Wetmore. Read, Accepted & the order passed.

Storrell.

Charles & Chestnut Streets. The Committee to whom was referred the petition of Caleb Storrell, to be relieved from a nuisance caused by the water flowing into his cellar at the corner of Charles & Chestnut Streets, reported as follows viz. That the petition ought to be granted, & offer the following order. For the Committee. Thos. Wetmore. Ordered, That the Committee on drains cause a drain to be laid from Caleb Storrell's

its estate to a drain in Kitchen Street provided said 297.
Storrell will pay one half the expense of the same.
Read, accepted & the order passed.

The Committee on the Petition of Jacob Hall & Robert St. Badger, for leave to sink a well in Sherhill Street. Reported as follows. viz. That there is no objection to granting the prayer of the petition, so far as the public are interested as a highway, provided, the work be done in a proper & safe manner, free of any expense to the City. Subject to be removed any time at the pleasure of the Mayor & Aldermen, at the expense of the petitioners. In granting the petitioners this liberty the committee wish it to be distinctly understood; that they do not intend that the City should be bound to protect the petitioners against the claims of any individuals who may sustain damages in consequence of the sinking said well. For the Committee. Thos. Abington. Read & Accepted.

The Committee on the petition of Furber & others, to have auctions & sales removed from Milk & Devonshire Streets. Reported, that no action of this Board is necessary on said petition, & ask to be discharged. Read & Accepted.

298.
Elas.

The Committee on the petition
of A. H. Ha to have a fruit stand removed from the
passage way leading from Washington Street to
Brattle Street, reported, That no action of this Board
is necessary on said petition & That they be discharged.
Read & Accepted.

Adjourned to Monday
next four O'Clock P. M.

At a meeting of the Board
of Aldermen of the City of Boston, held at
City Hall, on Monday, the seventeenth day
of September, A. D. 1838.

Present.

The Mayor & the whole board of Aldermen.

Epsom
place.

An Order respecting certain
buildings in Epsom place &c. used as dwelling
houses without drains passed as follows, viz:
Whereas it appears to this Board that certain
buildings used as dwelling houses in Epsom
place & also a certain lot or vacant ground
at the north side of Merrimac Street & near
Cummeray Street are not provided with suit-
able drains & by reason thereof are in a state

of nuisance; & a source of filth & cause of disease 299.
is occasioned thereby, it is therefore Ordered. That
the City Marshal notify the owners of the said ten-
ements & of the said vacant lot to cause suitable
drains to be laid to their said tenements and to
within ten days from the date of the said notifi-
cation; & in case said owners shall neglect or
refuse to lay said drains. That the City Marsh-
all shall proceed forthwith to cause the same
to be laid to said tenements, & also to remove the
nuisance from said vacant lot by filling up
or draining the same, & that the expense thereof
be charged to the respective owners of said tenem-
ents & lot.

Ordered, That the City Mar. Federal
shall notify the owners of estates on Federal Street, Street
from the corner of High & Federal Streets to the es-
tate belonging to J. C. & W. Cook, on the west side
of said Federal Street, to plank the sidewalk.

The Superintendent of Com. Comm-
mon sewers & drains reported the cost of construc- sewer
ing a common sewer in Chestnut Street in 1834. Chestnut Street
Road, accepted & thereupon ordered, That said
Superintendent make out the several bills, &
vouch them with the City Treasurer for collection.

The Committee on the pet. Sheridan.
ition of John Sheridan, for a license for a Shooting Game.

299½ Shooting gallery, reported as follows viz. That by an ordinance of the City, passed December 18th 1856, all persons are prohibited, "firing or discharging fire arms within the limits of the City, except in personal defence or at military exercises, nor is any power given to the Board to license the same. The Committee regard the provisions of the ordinance as necessary for the public peace & safety, & as they are not aware that the public good requires or will be at all, subserved by the establishment of the proposed "gallery" they do not recommend any alteration of the present law. And they report that the petitioners have leave to withdraw. The Witmore for the Committee. Read & accepted.

Streets
Yes

The Committee who were instructed to consider & report if any alterations are necessary in the Ordinance establishing the office of Superintendent of Streets &c. reported the Ordinance in addition to said Ordinance, which was read & passed. Sent down for concurrence. Came up concurred with amendments. Read & concurred.

Warren
Hanover st.
Friend st

The Committee to whom was referred the petition of Charles Warren, and others, praying, that Hanover Street be widened ^{at the corner of Friend Street, by cutting off a part of Friend & Palmer's estate -} & that Friend Street be widened at its junction with Hanover Street, reported as follows, viz. That the two estates named in the petition to wit. Frimons & Paynes, are the only projec-

tions into Hanover Street between Court & Union 300.
 Streets. That the entrance to Friend Street is only
 about 13 feet. The street below the Simon estate
 is 20 feet wide, this narrow funnel occasions much in-
 convenience to the travel. The building on the Simon
 lot is old & very much out of repair & the tenants are
 about moving out. This widening can probably be done
 at the present time at much less expense to the City,
 than it will cost hereafter. The Committee have ac-
 cordingly prepared & recommend the passage of the
 accompanying resolutions for the purpose which are
 respectfully submitted. For the Committee. Henry
 Tarnam. * Resolved. That the safety and
 convenience of the Inhabitants require that Han-
 over Street be widened near the junction with Friend
 Street. Therefore ordered that the same is hereby widened
 by taking a piece of land from the estate of Elias Paine
 & Henry Simon, deceased, as follows, viz. Beginning at
 the southerly corner of a house belonging to Elias Paine,
 from thence running Northwesterly by the present line
 of said Hanover Street twenty three feet eight inches
 more or less to the line of Friend Street as this day
 laid out & widened, then running Northwesterly
 by said line of Friend Street five feet & seven inches,
 then running southwesterly by a straight line twen-
 ty three feet eight inches more or less to the South-
 westerly side of said Paine's house. Then running south-
 easterly five feet four inches to the point of beginning
 taking from said Paine 108 1/2 Square feet of land

* Resolved, That the safety and convenience of the Inhabitants require that Friend Street be widened near its junction with Hanover Street, therefore ordered, that the same be & is hereby widened, by taking a piece of land from the estate of Henry Simon deceased, as follows, viz. Beginning at the intersection of the northwesterly side of Hanover Street, & the Southwesterly side of Friend Street, then running northwesterly by a straight line, twenty three feet ten inches to a passage way; then run-
 ing northwesterly by said passage way, nine feet, nine inches to the present line of Friend Street, twenty three feet, four inches to the place of beginning
 taking thence, hundred, twenty eight & a half square feet of land, from the estate of Henry Simon deceased, as related on a plan taken by C. F. Fuller del.
 5th September 11. 1838.

301. & from the estate of Henry Simon, deceased, 20 1/2 square feet, as marked, on a plan taken by J. P. Fuller dated September 17, 1838. Read, accepted & the resolve passed.

Hendall.
Hendall's
Avenue.

The Committee to whom was referred the petition of Ezekiel Hendall, & others, praying that Hendall's avenue be accepted as a public highway reported, as follows, viz. That said avenue extends from Poplar to Allen Street between Brighton & Spring Streets. about two thirds of said avenue from Poplar Street forms a Court, from which a narrow passage way extends to said Allen Street. it was laid out for private benefit, & the probable object of the petitioners is first to have it accepted as a public Street & then petition to have said passage way widened. The Location is in a part of the City where very little business is done & where no further accommodation for public travel is required at present. Brighton & Spring Streets are sufficiently near to each other for the demands of the public. Said Court or Avenue is very much incumbered with old lumber & rubbish, & the Inhabitants complain of being exceedingly annoyed thereby & offer this as a reason to induce the board to accept it, and place it under the charge of the City Marshal. said inhabitants have however the same power to rid themselves of said incumbrance as the Inhabitants of the other numerous Courts & Places have. Throughout the City, this reason therefore ought not to avail them. The other Inhabitants of the City have no concern in

The matter. For the above reasons the Committee are of 30th.
the opinion, that the safety & convenience of the In-
habitants, does not require that said Avenue be accep-
ted as a public Highway. That it is inexpedient to do it
& ask to be discharged. For the Committee, Henry Tarnam.
Read & Accepted.

Ordered, that the question to Marshall.
wit. how many feet of land shall be taken from the
estate belonging to Josiah Marshall situate on Court
Street, to widen the street adjoining westerly the new
Court house, as a compensation for the benefit said
Marshall will derive by fronting his land on said
Street & for the privilege of using said Street as a
public Highway, shall be submitted to three impar-
tial men, to be selected as follows, viz. The Committee
on Streets may send to said Marshall 12 names
for him to select one from. said Marshall may send
to said Committee 12 names for them to select one from.
The two men thus selected to select the third man
from the two lists of names above mentioned. The
judgement of the three men to be final.

Resolved, that the safety & Convenience
convenience of the Inhabitants require that Haw Street
over Street be widened near the junction of Brunell
Street; therefore Ordered, that the same be hereby wide-
ned by taking a piece of land from the estate of the
first Universalist Society as follows, viz. Beginning
at the fourthery corner of land belonging to the

303. First Universalist Society from thence running west-
erly 1m feet three inches, then running Northwesterly
by a line drawn from the easterly corner of a building
belonging to Uriah Ritchie, to the southerly corner
of a new building belonging to Levi Melcher & meas-
uring on said line sixty four feet four inches to Ben-
nett street, then running southeasterly by Bennett
street four feet two inches to the present line of Man-
over street, then running southwesterly by said pres-
ent line of Manover Street sixty four feet five in-
ches to the place of beginning, taking from said Soc-
iety 206 1/2 square feet of land.

Lawrence.

The Committee to whom was ref-
erred the petition of Amos Lawrence, for leave to
pave the streets in front of his house on Tremont Street,
& West Street, reported as follows, viz. That a part of
said street near the house of the petitioner is in bad
order the pavement being very much broken up and
ought to be repaired, and as many individuals are
desirous that the experiment of wooden pavement
should be tried in this City. The Committee are of the
opinion, that if the government are willing to have
the experiment tried, that the proposed location is
a good one, there being no aqueduct or drain to inter-
fere with, & the proposition of Mr. Lawrence being
liberal, the City would incur but a small expense
by complying with his terms, & recommend that the
prayer of the petition be granted, & offer the following

order. For the Committee. Tho: Huntington. Ord. 304.
Resolved, that there be allowed & paid to Amos Lawrence
one dollar for each & every square yard of wooden
pavement he may cause to be laid, in Tremont Street,
provided the work be done to the acceptance of the
Mayor & Aldermen. Read & Accepted.

The Committee to whom was, Haskins,
referred the petition of Ralph Haskins, for leave to
widen the side walk near Howard Street, & also the
petition of James S. Whitney, & others, in aid of the
same, reported as follows. viz. That said Haskins
wishes to repave his side walk & furnish new edge
stones - & the Committee are of the opinion that the pray-
er of the petitioners may be granted without injury
to the public, provided they commence at the En-
gine House & run on a straight line to the corner
of Howard Street. The work to be done under the
direction of the Superintendent of Streets, & free of
any expense to the City. on these conditions the Com-
mittee recommend that the prayer of the petitioners
be granted. For the Committee. Tho: Huntington.
Read & Accepted.

The Committee to whom was, Wade,
was referred the petition of John Wade, Junr: pray Hanover,
viz. that Hanover Avenue may be widened, and Avenue
straightened, reported as follows. viz. That said
Avenue is at the northern part of Hanover Street
extending to Ann Street, it is narrow & cracked -

315. The Corner part of it near Ann Street is not over 5 feet wide. it is filled with old dilapidated wooden buildings which are jammed full of coloured people & Irish families. If a fire should providentially sweep away these old ruins without destroying human life it would probably operate as a public benefit. it would then enable the board to open a convenient street on these premises. It would cost a very large sum to widen & straighten said avenue in its present situation. as the owners of these houses get a very high rent for them by letting one room for a whole family. The Committee are of the opinion that the public would not be benefitted in proportion to the cost & report that it is inexpedient to widen or straighten it, at the present time. They ask to be discharged. For the Committee. Henry Farnam. Read & Accepted.

Weston.

Ordered, That the account against the Town of Weston for the support in the House of Correction of Abijah Bemis from December 12th 1837 to June 12th 1838 be placed with E. Hersey Derby, Attorney at law, for collection with instructions to collect the same by suit or otherwise as soon as may be, & with power to receive the payment of the same, & receipt therefor in the name of the City.

Ordered, That the City of Boston acknowledge & ratify the proceedings of the Board of Overseers of the House of Correction, & of E. Hersey Derby their attorney in the case of the City of Boston

vs. The Inhabitants of Weston, now practicing 306.
in the Supreme Judicial Court for the County of
Suffolk.

Petition of Patrick Rogers, to be Rogers.

paid the damages he sustained in consequence of the Washington St.
workmen cutting off the building 160 Washington
Street. Referred to the Committee on Streets.

Petition of Elizabeth Cook, Cook.

& others, for damage in taking their land & building Washington St.
for the purpose of widening Washington Street, near
Beach Street. Referred to the Committee on Streets.

Memorial of the India India Wharf

Wharf proprietors, offering to cede to the City of Proprietors,
Boston a piece of land, which is now used as a street.
Referred to the Committee on Streets.

Remonstrance of Thomas Wetland.

Wetland, against the discontinuance of South South River St.
Dorset Street below Front Street, & praying that
the same may be carried to low water mark, also
respecting a drain in Front Street. Referred
to the Committee on Streets, & Sewers & Drains.

Petition of David Vinal, Vinal,

& others, praying, that a new well may be sunk Prospect
by them in Prospect Street. Referred to the Comm- Street
ittee on paving.

Petition of George Savage, & others, that the common sewer in Lucas place may be Lucas place, extended westward into the receiving basin of the Boston & Roxbury Mill Corporation. Referred to the Committee on drains & sewers.

Warren, S. Street, & others, to have a common sewer laid in A. Street. Referred to the Committee on drains & sewers.

Robinson, Richmond Street, & others, to have the common sewer repaired in Richmond Street. Referred to the Committee on drains & sewers.

Treasurers, Ordered, That the Treasurer be & he is hereby authorized under the direction of the Committee of finance, to employ such assistant clerks as may in the judgement of said Committee be necessary to facilitate the collection of the taxes of the current year, & that the amount be charged to the appropriation for incidental expenses & miscellaneous claims. Passed in Common Council. Came up for concurrence, Read & Concurred.

Superintendent, Alien passengers, Order of the Common Council committing the account of the Superintendent of Alien passengers, to the Committee on accounts. Came up for concurrence, Read & Concurred.

Commissaries, Ordered, That the subject respecting Commissaries be recommended with instructions to

inquire into the expediency of licensing Omnibuses 308.
that are used, & stand in the City for conveying passengers & also the expediency of establishing certain convenient stands for the same in such parts of the City as they may judge expedient.

The Engineers of the fire department Fire
men made their annual return of said department, Department.

Adjourned to Monday
next, 4 O'clock P.M.

At a meeting of the board
of Aldermen of the City of Boston, held at City Hall,
on Monday the twenty fourth day of September A.
1838. Present.

The Mayor, & the whole board of Aldermen:

The Clerks made a return of Voters.
Lists of voters in the several wards, which were ordered
to be printed.

The Ordinance making a new Wards.
division of the City into wards. Came up from the Revision.
Common Council for concurrence. Read & ordered
to be laid on the table, & printed for the use of the members.

The Committee to whom was referred the petition of John M. Salmon, & others, to have Short street, Short street South of Essex street repaired also to have the name of said street changed to Ulbany street; reported as follows, viz. That said street is in bad order - never having been properly graded & that part of the petition ought to be granted, as to changing the name of said street, the Committee are not aware that any urgent reasons exist in favor of the change, it being merely a matter of fancy of the petitioners, but there does exist objections to the frequent change of the names of streets, as it is more difficult for strangers to find them as well as creating difficulty in examining the records of real estates. for these reasons the Committee are of the opinion, that the name of said street ought not to be changed. & offer the following order For the Committee Thos. Huntington. Ordered, that the Committee in paving be authorized to grade & gravel Short street bet-ween Essex & Beach streets. Read, Accepted, & the order passed.

Chamberlain.

Minot street.

The Committee to whom was referred the petition of A. L. Chamberlain, & others, for leave to sink a well in Minot street, reported as follows, viz. That they have met the parties & heard their several statements for & against the petition, & it appears that the objections made by those who remonstrate against the sinking of said well in front of their estates, is that, it would

be likely to drain their wells & deprive them of 310.
water which they have long & lawfully enjoyed.
but from the best information from those acquainted
with the ground in that vicinity, that it would not
be the case, as there now exists a powerful spring,
which affords a great supply of water for all
who have sunk wells heretofore. If it should injure
those wells already sunk the petitioners should be
bound to furnish water from their wells a distance
the same. The Committee are of the opinion that the
petition may be granted without injury to indi-
viduals, or to the public as a highway, provided
the petitioners cause the work to be done in a proper
& safe manner, free of any expense to the City. Subject
to be removed any time at the pleasure of the Mayor &
Aldermen at the expense of the petitioners. In gran-
ting this petition it is to be distinctly understood
that they do not intend that the City should be bound,
to protect the petitioners against the claims of any
individuals for damages which they may sustain,
in consequence of sinking said wells. For the Com-
mittee. Thos. Huntington. Read & Accepted.

The Committee to whom was Vinal's
referred the petition of David Vinal, & others, for leave to sink
a well in Prospect street, reported as follows viz. first.
That so far as the public are concerned & interested as
a highway there is no objection to granting the petition.
Provided the petitioners cause the work to be done in a

311. proper & safe manner. free of any expense to the City, subject to be removed any time at the pleasure of the Mayor & Aldermen, at the expense of the petitioners. In granting this petition the Committee wish it to be distinctly understood, that, they do not intend that the City government should be bound to protect the petitioners against the claims of any individuals for damages which they may sustain in consequence of sinking said well. For the Committee. Thos. Huntington.
Read & Accepted.

Bradford.

Heuchman
Lane.

The Committee to whom was referred the petition of George Bradford, & others, praying that Heuchman Lane be widened, reported as follows, viz. That in July last the board of Aldermen by the request of the Committee on Streets examined said lane & after much deliberation came to the conclusion that the widening of said Lane would operate as much for individual benefit as it would for public good. A resolution accordingly passed the board on the sixteenth day of said July, ordering said Lane to be widened, provided it could be done at an expense to the City not to exceed \$3000. The present petitioners now pray that said sum of \$3000. be expended in widening a part of said Lane & to have the rest left for a future operation. Said Lane is short, it requires but 1866 feet of land to widen it from end to end. It would be highly improper therefore to make two jobs of it. Besides, if public good requires it to be widened at all, it

would follow of course that it should be widened thru 312.
upshot. The Committee are not aware that any
new circumstances have transpired, regarding said
lane. since the action of the board was had upon the
subject. & therefore report, that the petitioners have
leave to withdraw their petition. For the Committee
Henry Farnam. Read & Accepted.

Resolved, that the safety & Snowhill
convenience of the Inhabitants require that Snow Street.
Hill Street be widened near Prince Street. Therefore
Ordered that the same is hereby widened, by taking
Land as follows. viz. Beginning on the northerly side
of a passage way, in a line with the front of a block
of brick houses standing on Land formerly of Silas
Atkins deceased. from thence running southerly by a
straight line in continuation of the front line of
said houses one hundred & twelve feet more or less
to Prince Street, then running southeasterly by
Prince Street five feet eight inches, then run-
ning northeasterly by said Snow Hill Street five
feet six inches, then running northerly by the
present line of said Snow Hill Street one hun-
dred & fifteen feet four inches more or less to
Land formerly of said Atkins, now a part of said
Snow Hill Street, then running northwesterly
by said Land eight feet six inches more or less
to the place of beginning. taking from Mrs. —
Hunt, 324 Square feet of Land; from the

313. Heirs of Spring Sargent. Deceased. 230 Square feet of land; from William Greene & others. 219 Square feet of land from Nauses Lishon. 10 square feet of land as marked on a plan drawn by Stephen J. Fuller dated August 11th 1838.

Welles.
State Street.

The Committee to whom was referred the petition of Titus Welles, & others, to have a part of State Street repaired or macadamized. Also the petition of Henry B. Stone, & others, to have the same paved with wood &c. reported as follows. viz. That said Street is not in so bad a condition as many others, which the Committee have not recommended to be repaired, as the work done & in progress will exhaust the appropriation for the paving & repairs of streets. But as it appears that public opinion is now about ready to have the City government try the experiment of wood pavement & the petitioners proposing to pay a portion of the expense, the committee are of the opinion that it is expedient to grant the prayer of the petition of Henry B. Stone & others, & offer the following order. To the Committee. This Morning. Ordered, that the Committee on paving be authorized to pave State Street, between Hilby & Congress Streets, with wood, provided that Henry B. Stone & others will pay all over the cost of one dollar per square yard. Read & Accepted.

Griggs & World
Commercial St.

The Committee to whom was referred, the petition of Griggs & World, & others, to

have a part of Commercial Street near Long Wharf 3114.
repaired, reported as follows, viz. That a part of said
Street between Long Wharf & Chatham Street, is in
bad order, the pavement having settled so as to cause
the water to stand in pools which soon becomes very of-
fensive. The Committee are of the opinion that the pray-
er of the petition ought to be granted, & offer the follow-
ing order. For the Committee Tho. Manning. Order-
ed, that the Committee on paving be authorized
to repair the pavement in Commercial Street, betw-
een Long Wharf & Chatham Street, provided the
abutters will raise & repair the side walks. Read.
Accepted & the order passed.

Ordered, that the City Mar. Washington
shall notify the Agent or owner of estate on Wash. Street,
extending through to Front Street, near
the Machinist Shop there situated, it being No. 702.
on Washington Street, to have sufficient drains under
ground built for the dwelling houses there situated,
& that the same be laid in eight days from the date of
said notification & in case of neglect so to do, on the part
of the said owner or agent, that the Marshal be here-
by authorized to cause sufficient drains to be made to
said dwelling houses, as at the present time said
houses being without sufficient drains under ground
to carry off waste water as nuisance is created.
Also ordered, that the Marshal notify, for like
purposes & with like authority the agent or owner Street.

315. of certain dwelling houses on the north side of Char-
ler Street near Commercial Street, & in case of neglect,
& lapse of the said number of days to proceed as ab-
ove.

Near.
Mull Street.

The Committee to whom was ref-
erred the petition of B. M. Near, & others, to have a part
of Mull Street paved, reported as follows viz: That
a part of said street, has never been paved & recom-
mend that the prayer of the petition be granted.
& offer the following order. For the Committee, Tho:
Munting. Ordered, That the Committee on paving
be authorized to pave a part of Mull Street, pro-
vided the owners of estates will set their Edge Stone
& pave the side walks. Read, accepted & the order
passed.

Mull
Street.

Ordered, That the City Marshal
notify the proprietors of estates abutting on that part of
Mull Street which is unpaved, to place edge stones & pave
the side walks with bricks, in front of their respective estates,
within twenty days.

Morse.

Petition of James C. Morse, for
a license to exhibit Theatrical performances at the
Artists' gallery, Summer Street. Referred to the
Committee on Licenses.

East Boston.

Company Street.

Petition of the East Boston
Company, praying, that Sumner, Webster, Jarvis, Ma-
verick, Liverpool, Chelsea, Meridian, Treadwell, Bur-
mington & Princeton Streets be accepted. Referred
to the Committee on Streets.

Remonstrance of Jonathan 316.

Thaxter, & others, against having a well sunk in Minst Thaxter
Street. Referred to the Committee on paving. Minst Street.

Petition of Horace Gray, & Gray.

others, praying, permission to occupy the lands west of Charles Street for a public garden, on condition that in building whatsoever shall be erected thereon, & also to have so much of the lot on which panorama of Jerusalem was erected as may be necessary for the buildings for the maintenance of the garden, & for the shelter of such plants as require protection. Referred to the Mayor, Aldermen Farnham & Gurney, with such as the Common Council may join to consider & report. Sent down for concurrence. Came up Concurred with amendment as follows, viz. " & that said Committee be instructed to report a plan exhibiting the location & quantity of land which said petitioners desire" & the Common Council joined on its part the Committee on public lands. Public Garden.

The Committee on the erection of a New City Hall, who were instructed to have a plan prepared of all the land in the neighborhood of the Court House; which they thought the City might desire to obtain. Reported as follows, viz. They have endeavored to ascertain the best terms on which the estates could be obtained and Court House Land.

317. regret that they cannot report more favourably of the prospects. The City Council will be aware, however, of the difficulty of really ascertaining the lowest prices which proprietors will take for estates which they know the City wishes to obtain, especially when the Committee are not authorized to conclude any bargain, but merely to receive offers. Any price named, can after all, be regarded as only an approximation to the real value. The Committee have thought that if the City purchased the Richardson estate, it would be expedient to purchase that owned by Mr. Sullivan, & that which belongs to the heirs of the late Dr. Freeman. Mr. Sullivan offers to sell his for the sum of \$13,000 & the heirs of Dr. Freeman fix \$5,000 as the price of theirs. It appears to the Committee very probable that if it were a question of actual sale, these prices would be fixed considerably lower, precisely how much lower the Committee are unable to decide, but every member of the Council can determine in his own mind. Between the two present Court Houses, there is also a quantity of land, belonging to different proprietors, which the City will require for a public place or thoroughfare. This it will be in the power of the Mayor & Aldermen to take for a street upon payment of such damages as may be agreed on. This amounts to 6,944 feet, as will be seen by the plan, & as the circumstances of the several lots are somewhat different it would be difficult to say what might be the

amount of damages to be paid: The Committee 318
However after exercising their best judgment in
each case, have come to the conclusion that it would
cost about \$20,000. These several sums added to the
\$35,000 for which the Richardson estate can be purcha-
sed, make an aggregate of \$83,000. to be expended on
land around the City Hall, on the expediency of such
an expenditure the City Council will determine. There
are many difficulties respecting the location of the
City Hall, which undoubtedly will be removed by
such an extensive purchase, & the question whether
this is a case in which liberality & economy can be com-
bined is precisely one which, it is the peculiar right
& duty of the City Council to decide, but whether this
question be determined in one way or the other, the
Committee are still of the opinion they have repeat-
edly expressed, that it is expedient immediately to
commence the erection of a new City Hall & that it
should be placed in the direction & nearly in the place
of the old Court House on Court Square. By orders
of the Committee. Saml. A. Eliot, Read & accepted.
Sent down for concurrence.

Ordered, that there be paid \$830.00
to William F. Eliot, Esq. the sum of Eight Hundred Washington
dollars, in full for ninety eight & three quarters feet
of land & a part of his Store taken to widen Washing-
ton Street near the Washington Coffee House, in
his giving a deed of the same, & releasing the City
from all damage.

Petition of George M. Dexter
 Dexter. for leave to lay a drain in Tremont & Castle Streets.
 Tremont & Castle. Referred to the Committee on drains & sewers with full
 Streets. powers.

Common sewers.

The Superintendent of drains
 Broad street. & sewers made a report of the cost & a payment of
 a common sewer in Broad (late sea) Street. Read
 & accepted, & thereupon ordered, that the Superintendent
 do as aforesaid make out the several bills & lodge
 them with the City Treasurer for collection.

Nuisance.

The City Marshal's commu-
 Eliot Street. nication, respecting a nuisance on the estate of No. 1
 Threland Street (now Eliot Street), owned by
 Josiah Knapp Esq. occasioned by a drain open &
 exposed. Referred to the Committee on Internal Health.

Lillie.

Snowhill
 Street.

Petition of Thomas Lillie
 for leave to construct an arch under the side walk
 in Snowhill Street. Referred to the Committee on
 Paving.

Boyd.

Brattle Street.

Petition of J. M. W. Boyd, for
 leave to sink a well deeper in Brattle Street. Ref-
 erred to the Committee on paving with full power

Trighson.

Petition of Charles Leigh-
 ton, & others, to have the passage way leading from
 Everett to Chambers Street paved. Referred to
 the Committee on paving.

Petition of B. Brigham, 320.
& others, for leave to erect shade posts, in Brattle Brigham.
Square. Referred to the City Marshal. Brattle Square.

Petition of Jedidiah Tuttle.
Ale. for leave to construct arches under the side Summer
walk in Summer Street. Referred to the Commit. Street.
tee on paving.

The Chairman of the Com. Worcester
mittee on paving laid upon the table a communication from Nathan Hale, Esq. Chairman of
the Directors of the Boston & Worcester Rail Road.
stating that a committee of the Directors had ag-
reed to report that in their opinion it is not expe-
dient to raise Tremont, & that he had been inst-
ructed, that said Committee had made such a
report, which will probably be accepted by the
Directors. Which being read, & after some dis-
cussion it was ordered, that the Committee on
paving cause Tremont Street from Pleasant
Street to the Worcester Rail Road crossing to
be paved.

Adjourned to Monday
next, four o'clock p.m.

At a meeting of the
Board of Aldermen of the City of Boston. Held
at City Hall, on Monday the first day of Octo-
ber, A.D. 1838. Present.

The Mayor & the whole board of Aldermen, ex-
cept Alderman Richardson.

Knox
Street.

Whereas a nuisance exists in
Knox Street not accepted by the City. Thereupon
ordered; That the City Marshal be directed to notify
the owners of estates on said street to repair the drain
there existing, & abate the nuisance, in eight days
from the date of said notification, & in case of neg-
lect so to do, that he be hereby authorized to pro-
ceed to the abatement of the said nuisance by re-
pairing the drain or placing there one that shall
be suitable.

Church
Street.

Whereas a nuisance exists
in Church street, a street not accepted by
the City, in consequence of the sewer & drain in
Shawmut Street; also a street not accepted
by the City, having no proper outlet, & also
that many of the estates on said Church Street,
& also on or near Pleasant Street, & also in Mad-
ison Place & on Pleasant Street Court having
no drains; or where they do exist no sufficient
or proper outlet, for the same. Thereupon Ord-
ered That the City Marshal be directed to not-
ify the owners of said drain or sewer in Shawmut

Street to continue the same to Sidmont street & thence 322.
to the waters of the Back Bay. Also that the owners,
on Church Street, & also the owners of drains that ter-
minate in or near the said street creating a nuisance
be notified to have a sufficient drain laid in said Church
Street, in fourteen days from the date of said notification,
& in case of neglect so to do. That the City Marshal be
authorized to proceed, & have a suitable one built.

Members of Engine Companies, Fire
No. 10 & 13 discharged. & members of Engine Companies Department.
No. 10, 13 & 20. nominated & appointed.

A message was received from Representatives
The Common Council proposing a Convention of the two Convention
Branches of the City Council, on Thursday evening next, proposes.
at eight O'Clock, in the Chamber of the Common Council,
for the purpose of determining the number of Representa-
tives, which it is expedient for the City to send to the next
General Court. Read & thereupon Ordered,
that a message be sent to the Common Council, to in-
form them, that this Board concurs in their proposition
to form a convention, at the time & for the purpose above
mentioned.

An ordinance relating to the Ward
division of the City into wards. Passed in Common
Council as taken into a new draft. Came up for
Concurrence. Read & Concurred.

House of
Reformation

Annual Statement of the
Directors of the House of Reformation. Referred to the
Committee on Jail, House of Correction, Industry and
Reformation, with such as the Common Council may
join, to consider & report. Sent down for concurrence.
Came up Concurred, & the Common Council joined
on its part the standing Committee on House of Refor-
mation &c.

Cary.
Commercial
Street.

Petition of Isaac W. Cary, & others,
to have Commercial Street widened near the Marine
Rail way. Referred to the Committee on Streets.

Cabot.
Camera Obscura.

Petition of Joseph Cabot, for
a license to exhibit a Camera Obscura: referred to
the Committee on Licenses.

Omnibuses.

The Committee on Licenses who
were directed to "enquire into the expediency of est-
ablishing certain convenient stands for omnibuses in
such parts of the City as they may judge expedient";
have attended to the subject & ask leave to report, that
in their opinion, the public convenience requires that
the carriages, alluded to, should remain as short
time as possible in any of the public streets; they are
generally very large & unwieldy & out of all sort of
proportion to the average width of the streets, of which
they occupy much more than their own share & the
places where they now stand, without license, are
the least adapted to that purpose. The Committee are
aware however that the Omnibuses which ply between

This & neighboring towns, (some of them, at very short 3211.
intervals), may be considered a public benefit, & that it
would be for the general convenience if stands could be
provided for them, where the common travel would be
little inconvenienced, which they might occupy for
a limited period, of time which should be easily
acceptable to those who wish to make use of those carri-
ages. The Committee have endeavoured to find places
proper for such a purpose & as it has been impossible
to ascertain any place which would be suitable as a
stand for all of them, they have attempted to distrib-
ute them as conveniently as possible. And they there-
fore offer the following order. For the Committee. Th.
Webster.

Ordered, that the places here-
inafter mentioned be & the same hereby are est-
ablished as stands for omnibuses to wit. 1. The
Northwesterly side of Scollay Square shall be a stand
for two Roxbury Omnibuses belonging to Mr. Horace
King. 2. The Easterly side of Tremont Street,
near King Chapel Burying ground, shall be a stand
for one Roxbury Omnibus, belonging to Mr. Munroe,
also for one South Boston Omnibus. 3. The
Northerly side of Brattle Street shall be a stand
for one Cambridge Omnibus & one East Cambridge
omnibus & one Charlestown Omnibus. 4. The north-
erly side of Milk Street shall be a stand for one Dor-
chester Omnibus. 5. The Easterly side of Tremont
Street near Bromfield Street shall be a stand for
one East Boston Omnibus & one Jamaica Plain

323. Minutes. And it is further Ordered, that the said
minutes shall not remain in any of the stands
secretly established, for a longer period than twenty
minutes at any one time, and that the City Mar-
shal shall direct the places in said stands which
the said Minutes shall respectively occupy: Read,
accepted, & the order passed.

English
High School.

The Committee to whom was
referred the communication of the Master of the Eng-
lish High School requesting that sundry articles nec-
essary to constitute a small Chemical Apparatus might
be procured for said School, reported as follows, viz. That
in their opinion the articles contained in the schedule
herewith presented are necessary for said School, &
they report the following orders. Ordered, that

The Committee on public Buildings & public Instruction
be authorized to procure sundry articles contained in
the schedule herewith presented, for the purpose of a
Chemical apparatus for the use of the English High
School, provided the same shall not exceed four hun-
dred dollars, & that the amount be charged to the ap-
propriation for repairs, fuel & other contingent ex-
penses of the Schools. Read. Accepted & the order passed.

Morse.

The Committee on the petition
of James C. Morse for a license for theatrical exhibi-
tions, reported, that the Petitioner asks leave to with-
draw his petition & therefore that leave be granted.
Read & Accepted.

Charles Torrey licensed as an 326.
Auctioneer & his bond approved. Auctioneer.

The Committee of Conference Jackson
on the memorial of Charles Jackson, to have a sum of money
of money paid for taxes, which he alleges to have been
been illegally assessed upon him, refunded, reported
as follows, viz. That on the eighteenth day of June
A 1838 a joint Committee from both Boards reported
an order as follows, viz. Ordered, that there be paid
to the Hon. Charles Jackson two hundred & one dollars
7/10. The same being the amount of a tax assessed on
his personal estate for the year 1837. Having been
paid by him to the City Treasurer, & that the same be
charged to the appropriation for incidental & miscellaneous
claims, provided however that said Jackson
discontinue an action now pending for said amount
& save the City from all costs. "said order was read, ac-
cepted & passed by the Board of Aldermen, sent down
for concurrence. Read in the Common Council
& nonconcurred. In board of Aldermen June 25.
A 1838. Read again & this board does adhere to its
own vote. The present Committee of conference was
then appointed. The Committee after much del-
iberation, are of the opinion that the sum of \$201.75
ought to be refunded to said Charles Jackson and
recommend that the Board of Aldermen adhere
to their former vote. In the Committee Mary Torrey
and agreeably to said report, it was ordered, that

327. The board do adhere to its own vote.

Notice of
Building.

On the notice of Sawyer and Marshall, in the corner of South & Summer Streets, the Committee reported, that the new building be placed on the same line, that the old brick state stands upon. Read & Accepted.

India
Street.

The Committee to whom was referred the petition of W. G. Cobb & Samuel Appleton & committee of the proprietors of India Wharf, desiring to cede to the City a part of India Street, as a public highway, reported as follows, viz. That the part of said street ceded by said Committee to the City for a public highway, lies between the store owned by Josiah Bradlee & the proprietors of India Wharf. it does not embrace more than one quarter part of said street. The Committee were not able to ascertain for a certainty whether that part of the street is Cobb Wharf or solid earth. If Cobb wharf, that itself would be a sufficient reason for not accepting it, but if it is all solid earth the Committee deem it improper to accept that or a smaller portion of any other street that is entirely built upon, until the whole street is in a situation to be accepted & ask leave to be discharged, for the Committee. Henry Furness. Read and accepted.

The Committee to whom was 328.

referred the petition of Ralph Huntington, to have Huntington
Suffolk Street completed, reported, that it is now proposed
to raise said street, any higher at this time. Read Street.
& Accepted.

The Committee to whom was Fletcher.

referred the petition of W. J. L. Fletcher, for leave to
make an alteration in the closet adjoining their stall
No. 53 in the market house, reported as follows. viz.
That they have examined the subject referred to them
and find that the proposed alteration is to remove a
part of the partition which supports the stairway
leading to the Wall over the Market. The Committee
at first were of the opinion that no such alteration
should be permitted, as it would be likely to weaken
the stairs. But after further examination & on
receiving a certificate from Edmund Barker, an
experienced mechanic, stating that said alteration
could be made without any injury to the stairs,
they therefore recommend that the prayer of the
petition be granted, provided the work be done
in a proper manner satisfactory to the Committee
& free of any expense to the City & to be replaced ag-
ain at the pleasure of the Mayor & Aldermen,
at the expense of the petitioners. They praying dan-
dle the rest. That they now pay, say 50.00 per
week. For the Committee This Morning. Read
and accepted.

329.

Tuttle.

Summer St.

The Committee to whom was referred the petition of Iradiah Tuttle, for leave to build arches under the side walk in front of his house No. 93 Summer Street, reported as follows, viz. That said Summer Street requires only 17 1/2 feet of land to complete the widening of it to Purchase Street. The strip now granted has nothing but an old wooden frame upon it, & there can never be a better time to take it. The Committee have accordingly prepared & recommend the passage of the accompanying resolution for the purpose, which is respectfully submitted. For the Committee, Henry Farnam.

Resolved, that the safety & convenience of the Inhabitants require that Summer Street be widened near the corner of Purchase Street; therefore Ordered, that the same is hereby widened by taking a piece of land from the estate of Amasa Murdock Jr. as follows, viz. Beginning at the corner of Summer & Purchase Street, thence running Northwesterly 7 ft. 4 inches thence westerly 28 feet 8 inches, thence southerly 6 feet to Summer Street, thence easterly in the present line of said Summer Street 24 feet 8 inches, to the place of beginning, taking from the lands of said Murdock 17 1/2 feet of land according to a plan, drawn by Mr. S. P. Fuller dated August 1836.

Little.

North Hill St.

The Committee to whom was referred the petition of Thos. Little for leave

to construct arches under the side walk in front of 330.
his house Snow Hill Street: Reported as follows. viz.
That, there is no objection to granting the petition
provided the work be done in a proper & safe man-
ner. Satisfactory to the Committee on paying free of
any expense to the City, subject to be removed any
time at the pleasure of the Mayor & Aldermen
For the Committee: Thos. Huntington Read & Accepted.

The Committee on the pet. — Durham.
petition of Josiah Durham, for leave to sink a well in
in Turnpike Street near South Street: Reported
as follows. viz. That as far as the public are in-
terested as a Highway, there is no objection to
granting the prayer of the petition, provided the
petitioner cause the work to be done in a proper
& safe manner, free of any expense to the City. Sub-
ject to be removed any time at the pleasure of the
Mayor & Aldermen at the expense of the petitioner.
In granting this petition the Committee wish it
to be distinctly understood that they do not intend
that the City government should be bound
to protect the petitioner against the claims of
any individuals for damages which they may sus-
tain in consequence of sinking said well. For the
Committee: Thos. Huntington Read & Accepted.

The Committee on the petition Hazelton
of Isaac H. Hazelton, for leave to construct a well Charles St.

331. under the firework in front of his house on Charter Street, also to lay a drain across Commercial Street. Reported, as follows, viz. That the petitioners had caused the drain to be laid across said street & commenced the work for the arches, before the petition came into the hands of the Committee. But as the Committee are not aware that the public or individuals will be likely to suffer any inconvenience by granting the same. They recommended that the prayer of the petition be granted, provided the work be done and completed in a proper & safe manner satisfactory to the Committee or paving. Subject to be removed any time at the pleasure of the Mayor & Aldermen. For the Committee. The Meeting. Read & Accepted.

Rogers.

The Committee on the petition of Patrick Rogers, that he may be allowed a reasonable compensation, in consequence of cutting off part of his shop Washington Street, reported, that they allowed & paid him five dollars for the same. Read & Accepted.

South Cove Corporation.

The Committee on the petition of the South Cove Corporation, to connect Bennett Street drain with that of Warren Street, reported, that the petitioners have leave to lay the common sewer requested, at their own expense under the direction of the Superintendent of Common Sewers. Read & Accepted.

The Committee on the pet- 332.

ition of George Savage & others, praying that Savage.
The agreement made by said Savage & others, in the Lucas
year 1835, & the City with reference to the Common sewer Place,
or from Lucas Place westward, to the end of said
Common sewer may be fully completed & connected,
into the receiving Basin of the Water Power Company.
Reported, that an order of notice be issued returnable
on Monday next, at four o'clock P. M. Read
Accepted & ordered accordingly.

The Committee on the petition Robinson,
of George W. Robinson, & others, to have the Commons Richmond
sewer, in Richmond Street taken up & repaired. Re. Street.
Reported, that an order of notice be issued returnable
on Monday next, at four o'clock P. M. Read. Accep-
ted & ordered accordingly.

The Committee on the petition Dexter
of George M. Dexter for leave to lay a drain, in Tremont &
Tremont & Castle Street, reported as follows, viz. that said
The petitioner be authorized to lay the Common sewer
within mentioned at his own expense & under the
direction of the Superintendent of Streets. The
City however reserving the right of conveying
the top water into said drain without expense.
The Wetmore. for the Committee.

Resolved, that the Safety & Orange Court

333. convenience of the inhabitants require that Orange Court
be accepted as a public highway. Therefore Ordered,
that Orange Court extending from Washington Street
to the Johnson School House &c, & the same is hereby ac-
cepted as a public highway.

Shaw. Ordered, that there be paid to R.
G. Shaw, Esq. the sum of \$66.25 in full for 161 2/3 feet of
land taken from his estate to widen Court Street, near
Sudbury Street, on his giving a good & sufficient
deed of the same & releasing the City from all damages.

Murdock. Ordered, that there be paid to A.
Sumner Murdock, Jr. the sum of \$566.57. in full for 174 2/3 feet
of land taken from his estate to widen Sumner Street
near Purchase Street, on his giving a good & sufficient
deed of the same, & releasing the City from all dam-
ages.

First Universalist Society. Ordered, that the sum of \$509.75
be paid to the First Universalist Society in full for
200 2/3 feet of land taken from their estate to widen
Haver Street, & 48 2/3 feet from the same to widen North
Dorset Street, in all 254 2/3 feet, on their giving a good
& sufficient deed of the same & releasing the City from all
damage.

Hall Street. The City Marshal returned that
he had notified the proprietors of estates on Hall Street
according to the order passed September 24. 1833. to pave
their front walks with brick in front of their respect-

ive States. also that he had resigned the special pass 3311.
as directed by order which passed this board
on the same day, respecting driving in Washington
Street & Charter Street near Commercial Street.

Adjourned to Thursday next,
quarter before 8 o'clock, P. M.

At a Special meeting
of the Board of Aldermen of the City of Boston, held
at City Hall, on Tuesday the second day of October,
A. 1838. Present.

The Mayor Aldermen Witmore, Gurney, Huntington
& Brimmer.

Articles of agreement bet. House of
Green the Overseers of the House of Correction, and the
The Granite railway Corporation. referred to
the Committee on the House of Corrections &c.

Adjourned to Thursday
next, a quarter before eight o'clock P. M.

A meeting of the Board
of Aldermen of the City of Boston, held at City Hall,
on Thursday the fourth day of October, A.D. 1838.

Present.

The Mayor, & the whole board of Aldermen.

Convention.

Whereas the two
Representative branches of the City Council met in Convention, for
the purpose of determining upon the number of Rep-
resentatives, it is expedient for the City to send to the
next General Court.

Resolved by the
Mayor, Aldermen & Common Council of the City of
Boston in Convention assembled, that it is expedi-
ent for the City to send fifty five Representatives to
the next General Court.

The business of the Conven-
tion being accomplished, the two branches separated.

Adjourned to Monday
next, four o'clock, P.M.

A meeting of the board
of Aldermen of the City of Boston, held at City
Hall, on Monday the eighth day of October, A.D.
1838.

Present

The Mayor, & the whole board of Aldermen.

The Committee to whom was ref 336.
read the petition of Horace Gray & others, praying, Gray.
that the lands west of Charles Street may be assigned ^{to them} to them for a public garden, together with so much
of the unoccupied land west of Pleasant Street as
may be necessary for the erection of a green house
for the preservation of plants, & for other purposes op-
erative to the existence of a flower garden, made a re-
port, which was read, & recommended to the same com-
mittee, with instruction to consult the City Solicitor
as to the power of the City Council to grant the right
to erect buildings on any part of the land prop-
osed to be granted. That done for concurrence.
Came up Concurred.

Order of the Common Council - Fort Hill
city instructing the Committee on public lands to ^{consider} ^{the} ^{subject} ^{of} ^{the} ^{sale} ^{of} ^{the} ^{city} ^{lands} ^{on} ^{Fort} ^{Hill}, to hear all parties interested in the
same, & to report as soon as practicable, & that the
papers on file in relation to that subject be refer-
red to said Committee, together with the memorial
of Washington Artillery Company. Came up for
Concurrence. Read & Concurred.

Order of the Common Council - Ward room.
city, instructing the Committee on public buildings ^{to} ^{fit} ^{up} ^{the} ^{ward} ^{room} ⁱⁿ ^{the} ^{grammar} ^{school} ^{house} ^{on} ^{Fort} ^{Hill}, in a suitable manner, for the
temporary accommodation of a primary school.

337. & That the expense of the same be charged to the appropriation, for primary school houses. Came up for concurrence. Read & Concurred.

Ellis. Petition of David Ellis, & others, praying, that the projection into Broad Street near its intersection with Purchase Street, may be cut off in order to widen the street. Referred to the Committee on streets.

Custom House. Ordered, that the fence erected by the builders of the new Custom House be removed in four days, three feet, & that the City Marshal be directed to carry this order into effect.

State & Commercial Sts. Ordered, that the Committee on streets be instructed to inquire, & report upon the expediency of diminishing the width of the sidewalk between the end of State Street & Commercial Street.

White & Joseph Dall. Petition of Warren White & Joseph Dall praying, that a revision of the assessment for the cost of the common sewer in Suffolk Street, may be made. Referred to the Committee on drains & sewers.

Heaverhill Street. Whereas that part of Heaverhill Street that extends from Causeway Street to the Warren Bridge is much out of repair, full of holes & rubs & requires paving, & whereas said street has never been ac-

cepted by the board of Aldermen as a public Highway. 338.
The same being the causeway to said Bridge and a part
of the property belonging to the proprietors thereof, & was
by them kept in repair so long as they were assumed to col-
lect at all from the passengers passing over said Bridge,
& whereas the agent for the Commonwealth who now has
charge of said Bridge declines repairing said Causeway
& throws the expense of the same upon the City of Boston.
It therefore becomes necessary to accept the same as
a public street before any repairs are made upon the
same by the City. The Committee on streets have ac-
cordingly prepared the following resolution for the
purpose which is respectfully submitted. For the Com-
mittee. Henry Barnard. — Resolved, that the
Safety & convenience of the Inhabitants require
that the Causeway leading from Causeway Street
to Warren Bridge be accepted as a public High-
way. Therefore Ordered, that the same is hereby
accepted & declared to be a public Highway & to be
the continuation of Caverhill Street. Read and
accepted, & the Resolved passed.

The Committee to whom was referred the statement of the City Marshal concern-
ing an alleged nuisance at No. 1. Threlkeld Street, now known
as a part of Eliot Street, & in the rear of estate
on said street, reported as follows. viz. That on
the estate No. 1 Threlkeld Street they examined
an opening into the drain, which takes the

339. water from Washington Street, at this point it passes to the lower drain through an opening, furnished with a valve to prevent the foul air passing up and well covered by a double door. The Committee found that the lower end of Milton Place, had settled, so that water would stand after a rain, but have no doubt that a few loads of earth would remedy the difficulty complained of. The Committee finding no nuisance ask to be discharged. For the Committee. Jos. W. Hayward. Read & Accepted.

(North
free bridge. Ordered, That the Committee on bridges be instructed to repair the draw of the north free bridge. Also to close up the street each side of the bridge, whilst the repairs are making.

Pleasant street
Hundred acres. Ordered, That the City Marshal be directed to remove a fence from the City Land west of Pleasant Street: likewise a fence from the same. Also to remove all fences posts & obstructions from Hundred Lane.

Coffin.
New Street. The Committee to whom was referred the petition of George W. Coffin, & others, representing that New Street is not sufficiently lighted & praying that said street may be lighted with gas. Reported as follows, viz. That in relation to that part of the petition requesting the street to be lighted with gas instead of oil, the Committee are of opinion that it is imprudent to extend gas to that street the present

Season. The appropriation for the extension of gas in 340
the City being already exhausted. The Committee, how-
ever, are satisfied that the street is not sufficiently light-
ed, the lamps being too far asunder, small and not
of the best construction. They therefore recommend the
passage of the following order: for the Committee. Sa-
than Turney. Ordered. That the superinten-
dent of lamps cause the present lamps in Stone-
street to be removed, & that three others, larger and
of a more modern construction be placed in their
stead, & that two additional posts & lamps be erec-
ted & lighted, viz. one in front of the dwelling house
of William Parker & the other in front of the house
of William Tucker. Read & accepted.

Frederick B. Callender and Auctioneers
Oliver Wall licensed as Auctioneers, & their bonds returned
approved.

Whereas a nuisance exists at no. 14 Charter
by Charter Street in consequence of an insufficient Street
Drain, & a nuisance exists at the corner of Causeway
& Brerby Streets of stagnant water. Thereupon Ord-
ered, That the City Marshal notify the owners or agents
of the above described estates to abate said nuisances,
in the first instance by a suitable drain & in the other
by draining or filling up, & in case of neglect so to do,
on their part, within eight days from the time of such
notification, that he be & is hereby authorized to pro-
ceed to abate said nuisances in manner above described.

241.

Ordered, That B. Brigham & others
be authorized to erect shade posts, in front of their Est-
ates in Brattle Square, agreeably to their petition.

Phelps. The Committee to whom was
referred the petition, of Abel Phelps to have a well
sunk near Cooper Street, reported, that they have
agreed with the petitioner, to have the same done at
joint expense. Read, & Accepted.

Cabot. The Committee to whom was re-
ferred the petition of Joseph Cabot for a License
to exhibit a Camera Obscura, on or near the vacant
lot on Commercial Street, reported, that it is not ex-
pedient to grant the same. Read & Accepted.

Robinson, On the petition of George W. Rob-
Richmond inson, & others to have a common sewer repaired in
Street. Richmond Street. And now it appearing that notice
has been given to all persons interested agreeably
to the order passed this board on Monday last -
and no person appearing to object, it is thereupon
ordered, that the Committee on drains & sewers,
be authorized to cause said sewer to be repaired, &
the expense thereof apportioned upon those whose estates
shall be benefited thereby according to law.

Savage. On the petition of George Sav-
Lucas Place age, & others praying, that the common sewer

in Lucas Place, extended westward into the 312
receiving basin of the Boston Water Works Company.
and now it appearing that notice has been given
to all persons interested, agreeably to the order pap-
er at the meeting of this Board on Monday last, and
no persons appearing to object, it is thereupon ordered,
that the Committee on Drains & Sewers be authorized
to cause said Sewer to be made & carried out as propo-
sed for, & the expense thereof a person whose whose
estates shall be benefited thereby according to law.

The City Treasurer & Auditor Mortgage -
having certified that a Bond signed by James M. Douglas, discharged,
whereby he became obliged to pay the City of Boston,
the sum of five hundred & sixty two dollars & twenty five
cents, the payment of which was secured by mortgage
recorded with Suffolk deeds, Vol. 553, fol. 138. has been
fully paid, both principal & interest, thereupon ordered
that the Mayor be authorized & requested to discharge
the same on the record.

The Committee to whom was House of
reference the articles of agreement between the Overseers of the House of Correction & the Eastern Mail and Express
Corporation, reported, that they had examined the same & found it correct. thereupon ordered, that
said articles of agreement be accepted & approved
by this Board, & that said Overseers be authorized to
execute the same.

343.

Munroe. Application of Charles A. Franklin fund. The offers as bondsmen Lewis Munroe & Abraham Munroe. Read & the bondsmen approved, & that the loan be granted as prayed for.

City Marshal.

The City Marshal returned that he had notified the owners of the upland on the borders of the empty basin to cause the nuisance specified, in an order, which passed this Board on the third day of September last, to be immediately abated in the manner therein specified.

Adjourned to Monday next, four o'clock P.M.

A meeting of the board of Aldermen of the City of Boston, held at City Hall, on Monday, the fifteenth day of October A.D. 1838.
Present.

The Mayor, & the whole board of Aldermen, except Alderman Turney.

Water.

Ordered, that the joint committee on water be instructed to enquire into the expediency of offering to pay a bonus to any Corporation a specification who will at their own expense

introduce into the City, a full supply of pure and soft 31/4.
water, on either plan recommended by the Commissioners,
or by any other plan, to supply the whole City which shall
be approved, by the City Council: - provided that the sup-
ply furnished shall be, in point of quantity & quality,
sufficient to supply the whole City, & shall obtain the
approbation of the City Council, before the bonus shall be
paid, came up for concurrence. Read & Concurred.

Ordered, that notice be given Federal
to all persons, interested to appear on Monday next, at Street,
four o'clock p.m. & show cause if any they have, why Drain.
The common sewer in Federal Street should not
be taken up & repaired or relaid, & the expense there-
of a charge on all persons whose estates shall be ben-
efited thereby according to law.

Read
Petition of Jeremiah Kirtland & Son.
Kirtland for leave to construct arches under the side of William Street,
walk in front of his house, in William Street. Ref-
erred to the Committee on paving.

Read
Petition of William Minter, & others.
others, to have Court Street macadamized. Referred Case sent
to the Committee on paving.

Read
Petition of James M. Allen, M. S. M.
ter, & others, to have Crescent Court accepted, and named
called Crescent place. Referred to the Committee on
on Streets.

345

Ordered, That a License be granted to Thomas Larnport, for a License of the Lion Theatre, for the Performances of his daughter Jane Margaret Larnport agreeably to his petition, according to the rules established respecting Theatrical Exhibitions.

East Boston.

The Committee to whom was referred the petition of William Austin, President & Superintendent of the East Boston Company, praying that certain streets which have been graded at East Boston may be accepted, reported as follows, viz. That they found Chelsea Street in very good condition. Webster, Paris & Meridian Streets, middling. Sumner and Maverick Streets partly good & partly bad. Surrogate, Brunnington & Princeton Streets are not quite equal to a common country road where the Inhabitants work out their highway tax by repairing them. In the opinion of your Committee, as well might the owners of Long Island or the outer Brewster lay out roads over their land for private speculation & come to this board to have them accepted as public City Highways, as for the owners of these "Quaker Island" to expect the City to keep their Streets in repair for their own private benefit. The Committee were treated with great civility by the agents of the East Boston Company, but their duty to the City & their oath of office compels them (as they understand them) to oppose the acceptance of these streets as public City Highways, in their

present condition, & with the present number of 3116.
Inhabitants that reside upon them. The Committee
request to be discharged from any further respon-
sibility in the subject. For the Committee. Henry
Tarnam.

Read & accepted.

The City Treasurer & Auditor ^{Mortgages} ^{discharge.}
Having certified, that a certain obligation signed
by Joshua Marlon wherein he agreed to pay the town
of Boston, two hundred & three dollars & eighty five
cents, the payment of which was secured by mort-
gage recorded with Suffolk deeds. Lib. 272 fol.
247.

Also another obligation signed by Is-
aac Woodward by which he became obligated to
pay the City, five hundred & eighty dollars & fifty
cents, secured by mortgage recorded as aforesaid
Lib. 379 fol. 191.

Also another obligation
signed by Thomas Bradford, by which he became
obligated to pay the City, five hundred & ninety six
dollars, secured by mortgage recorded as aforesaid
Lib 423 fol. 227. all which have been
fully paid both principal & interest. Thereupon
Ordered, that the Mayor be authorized & requested
to discharge said mortgages in the records.

The Committee to whom was ^{Sighted}

referred the petition of Charles Sighton, & others,
to have a foot path way from Tremont to Chamber
Street, paved, reported as follows, viz. That it is
imexpedient to grant the prayer of the petition.

3117. as said passage way is a private passage for the convenience of the abutters, & over which the City have no control. For the Committee, Thos. Huntington. Read & accepted.

Gurney
Ann Street. The Committee to whom was referred the petition of Henry Gurney, to have a Common sewer laid in Ann Street, from South to Clark Streets, reported, that the petitioner is the only person to be benefitted by the proposed drain, & he declines paying the expense thereof. Therefore he have leave to withdraw his petition. Read & accepted.

Savage
The Committee on Common sewers, who were authorized to cause the sewer, prayed for by George Savage & others, by their petition, to be constructed, report, that it is expedient & necessary, that said sewer should be extended, into the receiving Basin of the Boston water powers company; but that it is not required to be done the present season. ~~It is in summer~~ ~~months~~ ~~that~~ ~~the~~ ~~summer~~ ~~months~~, & that it can be made at less cost hereafter. They therefore report, that the subject be referred to the next Board. Read & accepted.

Davis
Orange Court was referred the petition of Samuel Davis, & others, to have Orange Court, repaired, reported

as follows viz. That the pavement in said Court 348.
is very much broken up & ought to be repaired.
& after the following order. For the Committee.
Shi: Hunting. Ordered, That the
Committee in paving cause Orange Court to be
repaired. Read & Accepted.

Ordered, That the Committee Warehouse
in paving be authorized to close Warehouse Street,
near the Warren Bridge, while the workmen are
paving said Street, due notice being given.

The Committee in paving to State St
Long Wharf.
Side walk.
whom was referred an order of this board instructing
them to inquire into the expediency of diminishing the
width of the side walk between Commercial & State
Streets, reported, That the public would be much
better accommodated, if the side walk was diminished
to correspond with the side walk on the south side
of Long Wharf, east of Commercial Street & after the
following order. For the Committee Shi: Hunting.
Ordered, That the Committee in paving cause the
side walks, between Commercial & State Streets to be
diminished in width to correspond with the walk
on the south side of Long Wharf, east of Commercial
Street. Read & Accepted.

The Committee on Streets Monroe.
to whom was referred the petition of Washington
Frederick & Son
Street.

349. Munroe, & others, praying that Dragon Street be widened, made a report as follows, viz. That they find that said petitioners state the facts relative to said street. There is, great travel through it, it is frequently so jammed up with trucks, City cars and other carriages, that it is dangerous to the passengers. It is now but twenty feet wide from Portland to Friend Street, where the widening is required. The rest of the street is forty feet wide. it is the only direct avenue from Tremont through Sudbury Street to Haymarket square, at the junction of Merrimac, Blackstone, Hawthill, Union & Charlestown Streets. The Hon. Benjamin Gorham owns the estate at the corner of Dragon & Friend Streets, & is desirous of making improvements on the same. Said Gorham has made a proposal to the Committee to widen Dragon Street & a part of Friend Street, that requires widening, that if accepted will save an expense of of, from \$1000 to 2000 to the City. He offers to remove a large wooden building from the corner of Dragon & Friend Streets, that now lets for \$300 per year. To cut off 20 feet from a brick stable shed that lets for \$500 per year, & remove all the rubbish from the line of the streets for the sum of \$500, provided he can have to the first day of May next to accomplish it. The land required for the widening, to be rated at \$2. per foot the same price that the City paid several years since for the land to extend Dragon Street. The Committee are

of the opinion that the present opportunity ought 350.
to be embraced to widen said streets, & have accordingly prepared the accompanying order for the purpose, which is respectfully submitted. To the Committee. Henry Tarnam.

Resolved, That the safety & convenience of the Inhabitants require that ^{Therefore, ordered that said streets be widened} Dragon Street & Friend Street be widened, on or before the first day of May next, a certain ^{provided Benjamin Gorham pay some right the line of said streets} more or less from the line of Friend Street, & cut off twenty feet from a brick stable & shed to widen Dragon Street & remove all the rubbish from both streets, & provided said Gorham does not charge the City over five hundred dollars for the removing said buildings & not over two dollars per foot for the land required to widen said streets. The widening for Dragon Street to be as follows, viz. Beginning at the southern corner of land of Edward Coverly & wife, from thence running northwesterly by Portland Street twenty one feet six inches, then running northeasterly through land of said Coverly & wife & land of Benjamin Gorham & wife by a straight line one hundred & fifty four feet seven inches more or less to the line of Friend Street established by a vote of this Board this day, then running southeasterly by said new line of Friend Street twenty feet to the present line of said Dragon Street then running southeasterly by the said present line of Dragon Street one hundred & fifty six feet two & one half inches to the place of beginning, taking 1618 1/2 square feet of land

351. from said Cokerly & wife and 1548 square feet from said Gorham & wife, as marked in a plan drawn by S. P. Fuller dated September 17 1835. The widening of Friend Street to be as follows, viz. Beginning at the easterly corner of a building standing on land of Benjamin Gorham & wife from thence running Southeast by Deacon Street eighteen feet, thence running Northwest through land of said Gorham & wife by a straight line seven by four feet six inches to the former line of the Mill Pond, thence running Northeast by said former line of the Mill Pond eighteen feet, to the present line of said Friend Street, thence running Southeast by said present line of Friend Street seven feet to the place of beginning taking 1236 1/2 square feet of land from said Gorham & wife as marked in a plan drawn by S. P. Fuller dated September 17 1835. Read, Accepted and the resolves passed.

Adjourned to Monday next,
four O'Clock P.M.

At a special meeting of the 352.
Board of Aldermen of the City of Boston, held at
City Hall, on Wednesday the nineteenth day
of October 1838. Present.

The Mayor, Aldermen Barnum, Wetmore, Sur-
ney, Huntington & Harris.

Ordered, That application Charles river
be made to the Charles River Bridge Corporation. Bridge.
for the use of their bridge, during the time that
Haverhill street shall be closed, for the purpose
of paving the portion of said street, between Cause-
way street, & the Warren bridge.

Petition of Robert G. Shaw, Shaw,
& others, to have Richmond street widened between Richmond
Ave & Commercial streets. Referred to the Com. Street
Committee on streets.

Petition of Robert G. Shaw, Shaw,
for himself & other owners of estates on Fulton Street, to
Street opposite to Richmond Street, that such
measures may be taken to prevent the water which
passes down said Richmond Street, flowing into
the cellar of the petitioners. Referred to the
Committee on paving.

The Committee on the Hitteridge.
petition of Jeremiah Hitteridge for leave to
construct arches under the side walk in front of his
estate No. 28 Stillman Street have considered the

253. same & report: That There is no objection to granting the
petition, provided the petitioner cause the work to be
done, in a proper & safe manner, satisfactory to the
Committee on paving, free of any expense to the City,
subject to be removed any time at the pleasure of the
Mayor & Aldermen, at the expense of the petitioner. For
the Committee. Thos. Huntington. Read & Accepted.

Adjourned.

At a special meeting of the
Board of Aldermen of the City of Boston, held at City
Hall, on Thursday the eighteenth day of October, 1835.
Present.

The Mayor, Aldermen Wetmore, Haymar, Huntington
& Harris.

Charles River
Bridge.

The Mayor communicated a
vote of the Directors of Charles River Bridge Corporation,
construing that their bridge be opened during the
time that Haverhill Street shall be closed for the
purpose of paving, upon the terms & conditions there-
in mentioned, viz. 1. The Proprietors of Charles River
Bridge are not to be held responsible for the safety
of the Bridge. 2. They are not to be subjected to
any expense in the preparation & use of the Bridge.

as a public Highway. & as seen as the Warren 354.
Bridge is passable the said Charles River Bridge
is to be closed in as good condition as it now is. Ref-
erred to the Committee on bridges, & Aldermen
Gurney & Harris, to consider & report.

Ordered, That there be paid Scudleton.
to William H. Scudleton, the sum of \$1321.66 in- Washington
full for 373 square feet of land & buildings there- Street.
now taken from the estate owned by William Beau-
man with 15 years unexpired lease of the same
to said Scudleton, to widen Washington Street on
the east side between Franklin & Summer Streets,
on his releasing the City from all damage so far
as said Scudleton is concerned therein.

) Adjourned to Monday next.
Four O'Clock P. M.

At a meeting of the board
of Aldermen of the City of Boston, held in City Hall
on Monday the twenty fifth day of March A. D. 1835.
Present.

The Mayor, & the whole body of Aldermen
except Alderman Brimmer.

Boys in school house, who were instructed to fit up the ward room in
 the Boylston School House in a suitable manner
 Primary School. for the temporary accommodation of a primary school,
 reported as follows, viz. The ward room on the north-
 side of the Boylston School house is partly under ground
 & the access to it is by a descent of 14 or 15 steps from
 the level of the summit of Fort Hill. It was objected
 to the erection of a primary school house, near the
 summit of the Hill, that it would be difficult, if not
 dangerous for small children to ascend so far, in win-
 ter, by the steep passage ways that were considered dan-
 gerous, but must descend again by a flight of steps
 which can scarcely be regarded as less hazardous &
 may be considered much more so, than any other part
 of the path to the school. The ward room being partially
 under ground, has been therefore objected to by nu-
 meral members of the school committee, as unfit to place
 children in, even temporarily, on account of the damp-
 ness necessarily attendant on its position. The Commit-
 tee cannot but concur in this view. The expense of
 fitting up this room for a primary school would
 be very nearly the same, whether it be done for a
 temporary or a permanent end. & according to
 an estimate which has been prepared for the Com-
 mittee, would amount to about \$300. The Committee
 have thought it proper to state these facts to the co-
 uncil, that they might be certain they were known
 & understood before going on with the work. And

have only to add, most respectfully that they hold 356.
themselves ready to go on with the business entrusted
to them, unless in a review of what has been stated,
the Council should deem it proper to discharge them.
They suggest the passage of the following order. For
the Committee. Saml. A. Eliot. Ordered that

the joint Committee on public buildings be discharged
from further attention to the business of fitting up the
ward room in the Beyleston School house for a primary
School. Accepted in Common Council. Came up
for Concurrence. Read & Concurred.

Order of the Common Council Phillips.
concerning the petition of Jonathan Phillips & Josiah
Quincy, trustees under the will of William Phillips,
for leave to change the form of certain certificates of
stock of the City held by them in their said capacity—
to the Committee on Finance. Came up for Con-
currence. Read & Concurred.

Quarterly report of the Direc. House of
boys of the House of Reformation. Read & put down. Information.

Petitions of E. Haskell, and Archer
Elijah & Weatherbee, for leave to construct arches under
under the side walk in front of their houses. Referred to
to the Committee on Paving.

Petition of W. L. Munroe, Munroe.

357. For leave to place his Manibus in Tremont Street for
the accommodation of passengers to Newbury. Referred
to the Committee on Licenses.

Dickenson.

The Committee to whom was ref-
North Square & received the notice of Daniel Dickenson of his intention
Garden Court Street of building on North Square & Garden Court Street.
He stated as follows. viz. That the land of said Dickenson
projects so far into said square as to annoy the travel
from Prince Street. That said Dickenson has agreed
with the Committee to set back the new buildings six
feet from the new line of the square provided the
City Government think proper to take six feet
from his present front on said Square. That Gard-
en Court Street requires a strip from said Dicken-
son's estate in order to equalize the width of said
street. The Committee therefore recommend the
passage of the accompanying order for the purpose.
For the Committee. Henry Tarnam. Resolved,
that the safety & convenience of the Inhabitants re-
quire, that North Square be widened. Therefore
Ordered that the same is hereby widened. Provided
Daniel Dickenson takes down his fence & removes the
trees from the front of his estate without any cost to
the City, & set back the new building that he is about
erecting six feet from the line of said Square hereafter
mentioned in this taking as follows. viz. Beginning
at the southerly corner of land of Daniel Dickenson,
from thence running Northwesterly by Moon Street

six feet more or less. Then running northeasterly by 358,
a straight line parallel with the northeasterly
side of said North Square & six feet distant
northeasterly therefrom. Fifty four feet ten inches
to the line of Garden Court Street, then running
southwesterly by said Garden Court Street six feet
eight inches more or less, to the westerly corner of
land of said Dickenson. Then running southeas-
terly by the present line of said North Square fifty
nine feet five inches to the place of beginning
taking from said Dickenson 368 $\frac{1}{4}$ Square
feet of land as marked on a plan drawn by
S. P. Fuller dated October 22. 1838.

Resolved, that the safety & convenience of the
Inhabitants require that Garden Court Street
be widened. Therefore ordered, that the same
is hereby widened, provided, Daniel Dickenson,
removes the fence & buildings now on the premises
when he erects a new building on the same
as follows, viz. Beginning at the northerly
corner of land of Daniel Dickenson, from
thence, running south easterly by land of Thacher
or W. Raymond seven feet, then running south
westerly through the land of said Dickenson eighty
one feet more or less, to the westerly corner
thereof. Then running northeasterly by the pres-
ent line of said Garden Court Street eighty
two feet more or less to the place of beginning.
Taking from said Dickenson 314 $\frac{1}{2}$ Square

359. Feet of Land as marked on a plan taken by T. P. Fuller dated October 25 1838. Read, accepted and the resolve passed.

Federal Street. It appearing to this Board, that Common Sewer. notice has been given accordingly to the order passed on Monday last, & in person appearing to object; it was thereupon ordered, that the same be referred to the Committee on drains & sewers, with full power to cause the Common Sewer in Federal Street to be taken up, & relaid or repaired, and apportioning the expense thereof upon those whose estates shall be benefited thereby, according to law.

Cranitases. Ordered, that the Committee South Boston. on Licenses, be instructed to consider & report upon altering the stand for South Boston Cranitases, as to give greater convenience to the inhabitants who have occasion to use them.

Charles River. The Committee to whom Bridge. was referred the answer of the Directors of the Charles River Bridge Corporation, to an application from this Board, for leave for the public to use said Bridge during the repairs on Warren Hill Street, reported as follows, viz. It appears by a note of the Directors of said Corporation, that they propose to grant the request of this Board the right to use their bridge on the following conditions viz. 1. The Corporation are not to be liable for the safety

c; the Bridge. 2. or be subjected to any expense in pre- 360.
paring the bridge for use. 3. said bridge to be closed
as soon as the Warren bridge is passable in as good
condition as it now is. The Committee proceeded to
examine said bridge & request to say, that they found
it in a decayed & dangerous condition, unsafe for
carriages & teams to pass over until a thorough ex-
amination & repairs could be made. Which would
take a long time & the City would be subjected to
great expense, before the bridge could be made
safe. The prompt action of the Directors of said
Corporation; & the liberal disposition they shew to
accommodate the public in granting the use of their
Bridge free while necessity compels the Warren bridge
to be closed, certainly entitles them to the approbation
of this Board, as well as the public. But taking in-
view the short time required to keep Warren's street
closed, & the length of time which it would take
to repair said bridge, & the great expense the City
would incur, the Committee are of the opinion that
it is inexpedient to accept the proposition from the
Charles River Bridge Corporation, & ask to be dischay-
ged. For the Committee This Morning Read and
Accepted.

The Committee to whom was referd Edward
Tuckerman, & have gutters
placed in front of his estate in Suffolk & Garland
streets, reported as follows. viz. That it is not expe-
dient to have gutters in Garland street, but recom-

361. moved that the Committee on paving be authorized to pave the gutters on Suffolk Street, when said Tucker-
man has caused the edge stones to be set. For the Com-
mittee The Hunting. Read & accepted.

Bratt. The Committee to whom was ref-
erred the petition of Caleb Bratt to have the edge stone
raised in front of his estate on Broad Street, reported
as follows, viz. That there is no objection to granting
the petition, provided the petitioner cause the work
to be done at his own expense, & under the direction
of the superintendent of streets. For the Committee
The Hunting. Read & accepted.

Adjourned to Monday next,
four O'Clock P.m.

At a meeting of the Board
of Aldermen of the City of Boston, held at City
Hall, on Monday the twenty ninth day of October
A. 1838. Present:
The Mayor, & the whole Board of Aldermen ex-
cept Alderman Brimmer.

City Treasurer.

Order of the Common Council.

authorizing the City Treasurers to make a certain 362.
indorsement on any note now existing or which
may hereafter exist. Came up for Concurrence.
Referred to the Committee on Finance.

Petition of Edward Conway, Conway &
& Samuel Jordan, to be licensed as Razer & Scissor Jordan.
grinders. Referred to the Committee on Licenses.

Petition of Augustus Taber for Taber.
a license to exhibit animals & showings. Referred
to the Committee on Licenses.

Petition of E. A. Raymond, Raymond,
for leave to lay a gutter pipe across Brighton Street Brighton St.
for the purpose of conveying water to his Estate. Ref-
erred to the Committee on paving.

Ordered, That the Mayor, Tall - Plan of
ermen Huntington & Harris be a committee to consider Boston.
report upon the expediency of passing an order
instructing the Committee on Streets to cause a new
Survey & Plan of the City to be made, & that said Plan
be on a scale of not more than forty feet to an inch.

The Committee to whom was Ellis
referred the petition of David Ellis, & others, praying, Inasmuch
that the projection into Beacon Street at its intersection Street.
tion with purchase Street may be cut off. Reports
as follows, viz. That all that the Petitioners say rel-

313.

alive to the inconvenience to the public travel in this particular part of Broad Street is true. This Street unquestionably requires widening near Purchase Street & it is the duty of this Board to cause it to be done. But the appropriations for laying out and widening of Streets for the current year are so disposed of, that this Board must either omit to remove the rubbish that surrounds the New Court House, or delay the widening of said Street. The unsightly appearance of the Court House Square in its present unfinished condition has annoyed the feelings of our fellow citizens for the last three years, & been the occasion of unfavourable remarks upon the City Government by visiting strangers. This Board has been constantly exerting itself during this long time to effect this desirable object & to complete said Square as per original plan. It is unnecessary to inform the members of this Board of the insurmountable obstacles that heretofore have prevented it. They are familiar with them. But the Committee are happy to state that they are removed, & they deem it proper to remove this nuisance as speedily as possible. The question therefore turns upon the importance of these two objects both of which are required to be done, to wit, which shall be done the present season. The season is so far advanced & there are so many buildings to remove in order to widen Broad Street that it would be much more expensive to do it

This Fall, than it would next spring. The Commos. 3rd but
it is therefore are of the opinion that this widening
ought to be delayed for the present. But in order
to satisfy the Petitioners that this Board is in earnest
on this subject, it is proposed to have this widening
laid upon at the present time and the first day
of May next fixed upon to carry it into effect.
and this will enable the Board to proceed without
further delay to finish said Court House Square.
With these views on these two cases the Committee
recommend the passage of the accompanying res-
olution & order, all which is respectfully submit-
ted, For the Committee, Henry Farnham.
Resolved, that the safety & convenience of the
Inhabitants require that Broad Street be wid-
ened near India & Purchase Streets, therefore
ordered, that the same is hereby widened, and
the land taken to become a part of the public
highway, said widening to be carried into ef-
fect on or directly after the first day of May
next as follows, viz. Beginning at the easterly
corner of a brick building adjoining the north-
erly corner of land of William Foster Esq. from
thence running southeasterly by a straight line
forty feet to a point fifty feet distant south-
westerly from the front of the brick building on
the opposite side of said Broad Street, meas-
uring at right angles from said front, thence
running more southerly by another straight

365. Line parallel with the said front of said building & fifty feet distant therefrom seventy eight feet more or less to the line of Purchase Street, then running northerly a little easterly by said Purchase Street twelve feet five inches to the present line of Broad Street, then running northwesterly by the present line of Broad Street to the place of beginning taking from land of said Foster 1155 $\frac{1}{2}$ square feet as marked on a plan drawn by J. P. Fuller dated February 5th 1827; also another piece, bounded as follows. Beginning at the southerly corner of a brick store belonging to Amasa Watson from thence running northwesterly by the present line of said Broad Street forty five feet ten inches to India Street, then running northeasterly by said India Street ten feet, then running southeasterly by a straight line to the place of beginning forty six feet ten inches more or less taking from land of said Adams, 229 $\frac{1}{2}$ square feet. Also beginning at the southerly corner of land belonging to Samuel Fales Esq. from thence running northeasterly ten feet four inches by said India Street, then running northwesterly by a straight line ninety six feet more or less to the westerly corner of a brick store belonging to ^{Mr. Mings & Wm. B. Robinson} ~~John~~, then running southeasterly by the present line of said Broad Street ninety six feet seven inches to the place of beginning taking from land of said Fales 436 $\frac{1}{4}$ square feet, from — 109 $\frac{1}{2}$ square feet & from — 78 square feet as marked on said plan drawn by said Fuller. Read & accepted & the resolve passed.

The Committee on the petition, 366.

of R. L. Munroe for leave to place his omnibus in Munroe.
Milk Street, reported. That it is not expedient to
grant the prayer of the petitioner. Read & Accepted.

Ordered, that the City Marshal Kitteridge
give notice to Foreman Kitteridge to cause Stillman Stillman
Street in front of his estate to be filled up forthwith. Read.

The Committee to whom Weatherbee
was referred the notice of Elijah T. Weatherbee of his Summer
intention of building on Summer Street. Reported Street.
as follows, viz. A strip of land is required from the
same in order to straighten the line & widen the street,
provided the same can be obtained at a reasonable
price, & the following resolution is submitted for the
purpose. In the Committee Henry Barnard. Resolved,
that the safety & convenience of the Inhabitants
require that Summer Street be widened near Broad
Street, therefore ordered, that the same is hereby
widened, & the land taken to be a part of the
public highway. Provided the expense of the same
does not exceed three dollars for each square
foot of land required to widen said street as fol-
lows, viz. Beginning at the western corner of
a brick building belonging to Elijah T. Weather-
bee from thence running northwesterly by a
straight line in continuation of the southwesterly
front of said building forty one feet more or less to the

367. present line of Federal Street - then running southerly
a little easterly, twenty three feet nine inches more
or less to the present line of Summer Street, then
running more easterly by said present line of sum-
mer Street twenty feet three inches then running
northeasterly five feet eight inches to the place of
beginning, taking from land of said Weatherbee 154 1/2
square feet & from land of G. Brewer 37 1/2 square
feet as marked in a plan drawn by Stephen J.
Tutler dated August 1836. Read & Accepted.

Shaw. The Committee to whom was
Richmond & referred the petition of R. G. Shaw, to have some
Tulsa Street order taken to prevent the water from Richmond
Street, flowing into his cellars on Tulsa Street,
reported as follows. viz. That in extending & grad-
ing Tulsa Street, which is higher than a part
of Richmond Street, which causes the water to
flow into the cellars complained of. The Committee
are of the opinion, that the prayer of the petitioner,
ought to be granted, & offer the following order.
For the Committee. The Honoring. Ordered, that
the Committee on paving be authorized to grade Rich-
mond Street, so as to carry the water across Com-
mercial Street, or discharge the same by con-
structing an inlet into the common sewer.
Read & Accepted.

Gilman's bill. Ordered, that there be paid
to the Treas of the Hon. John Taylor Gilman,

deceased, the sum of eight hundred three dollars & 368.
thirty three cents, on or before the first day of May
1847, in full for the strip of land taken from their
estate, on the easterly side of Washington Street, for
widening said street. The said estate being now un-
der lease to Albert H. Brown, for ten years from the
first day of May 1837, with a privilege for the les-
see to renew the lease for ten years longer. And in
case the said lease should be renewed the said pay-
ment of eight hundred three dollars & thirty three cents
is not to be made till the expiration of said renewed
lease.

Ordered, that the City Treasurer Volunteer
Co & he is hereby authorized & required, to pay to Companies
each member of the volunteer companies of
Militia, borne on the several rolls returned ac-
cording to law, who have during the current year
kept themselves constantly armed, uniformed & eq-
uipped, & have performed all the active duty requi-
red by law, according to the statute in such case made &
provided, the sum of five dollars.

The Lists of Voters being come Voting
placed. Therefore Ordered, that public notice be given
that they may be seen at the Mayor & Aldermen's
room City Hall, at the assessor's office, Town Hall.
And one copy at or near the place of meeting in
each ward, & one at the Hayes School House, South
Boston. And one at East Boston, all legal voters

369. are requested to see that their names are inserted on the list; & the Mayor & Aldermen will attend at their room every day this week & the next, for the purpose of inserting such names as may be omitted, & changing there who have removed from one ward to another, since the first day of May last.

Warrants for

Ward Meetings.

Ordered, that warrants be issued,

for the meeting of the Inhabitants in their respective wards; on Monday the twelfth day of November next, at eleven O'Clock A. M. for the purpose of giving in their votes to the Governor, Lieutenant Governor, six Senators for the District of Suffolk, fifty six Representatives, & Member of Congress for district Number one. The polls to be kept open until four O'Clock P. M.

Charles C. Johnson

Staver Vol. 8. 439.

Adjourned to Monday next,
four O'Clock P. M.

A meeting of the Board of
Aldermen of the City of Boston, held at City Hall:
on Monday the fifth day of November, A. D. 1838.
— Present.

The Mayor, & the whole Board of Aldermen, except
Aldermen Hayward & Richardson.

The Overseers of the House 370.
of Correction, submitted for examination their account of
of moneys received at their office, & expended by them for that
Institution. for the last quarter. Referred
to the Committee on County accounts.

Petition of Adams Bailey, Bailey.
to have the Common sewer opened in South's Street,
Court. Referred to the Committee on drains & sew- Court.
ers.

Petition of Wm Williard, Williard.
to have a lamp placed & lighted in Sutton Street, Standish.
& Moses Standish, & others, to have lamps lighted, Standish.
in Canton Street. Referred to the Committee on
Lamps.

Petition of William Tarr- Gardner.
to be paid for land taken to make & extend Cass
Castle Street. Referred to the Committee on streets. Street.

Petition of Thomas Surber Surber.
to be paid for land taken to widen Sudbury Street. Sudbury
Referred to the Committee on streets. Street.

Samuel Jordan & Edward Razor &
Conway licensed as razor & scissor grinders, during Scissor grinders.
the pleasure of this board.

The Committee on the subject Plan of
of a new Plan of the City reported that the following City.

371. order ought to pass. viz. Ordered, that the Committee
do forthwith cause a new survey & plan of the City to be
made & that said plan be on a scale of not more than
forty feet to an inch. Read, Accepted & the order
passed.

Cary
Commercial Street, The petition of Isaac H. Cary, & others, praying
that Commercial Street be widened, at the Marine
Rail way, reported as follows. viz. That they met a Com-
mittee appointed by the Boston Marine Rail way Company
& ascertained from them that they continue to estimate the
damages to said rail way by extending Commercial Street
over a part of the same at the extravagant price of \$40,000.
Your Committee believe that this estimation of damage is
more than double what it should be. But this Street must
be widened. It is a marginal Street of great importance,
very extensive business is transacted upon it & increasing
yearly. The deep water at the North part of the City
naturally attracts the owners of heavy & costly ships,
to the wharves adjoining said Street, & they must be
accommodated with Streets of sufficient width to
transport heavy merchandise upon without much
obstruction. This Street is now completed from State
Street to Prince Street except only at this particular
place. It is believed by the Committee that if time
is allowed to the owners of this property & this definitely
fixed upon by this Board as to the extent of the delay
for widening this Street, that they will make an estim-
ation of the cost of either remedying said rail way

or removing it altogether from these premises. & 372.
come to this Board with such proposals as may be
for the interest of the City to accept. with these views
on the subject the Committee have fixed upon the first
day of June next for the extent of the time to be allo-
cated for the gentlemen to make their calculations
& they have prepared a resolution for the purpose.
It may be proper to observe, that the remark of ex-
travagant price before mentioned in this report is
not intended as any reflection upon the owners
of this railroad. They are known to this Committee as
enterprising, high minded, honorable men, & there-
can be but little doubt but a satisfactory compro-
mise may be made with them when they know
exactly what course this Board is determined to pur-
sue, all which is respectfully submitted. For the
Committee, Henry Larnard. Resolved.

That the safety & convenience of the Inhabitants
require, that Commercial Street be widened, then
Fore Street, that the same be widened at the
Marine Railway, & that it be done on, or directly
after, the first day of June next, as follows viz.
Beginning in the northern line of land belong-
ing to the Marine Railway Company at the dis-
tance of five feet easterly from the northeastern
corner of a brick building belonging to said
Company. From thence running Northerly by
a straight line through land of said Company
one hundred & sixteen feet more or less, to a point

373. on the northerly side of a wooden building, distant four feet eight inches easterly from the Northwest city corner thereof. Then continuing said straight line through lands of Joseph M. Stevens & a passage way to the present line of said Commercial Street. Then running southerly by said present line of said Commercial Street to the said Northwest corner of said wooden building. Then continuing southerly by said present line of said Commercial Street one hundred & eleven feet more or less to the southerly corner of said brick building belonging to said Company. Then running easterly thirty seven feet more or less to the place of beginning turning from said Railway Company, 2312 Square feet as marked on a plan drawn by H. P. Fuller dated Nov. 3, 1838. Read, Accepted & the resolve passed.

Marshall.
do page 233.

The Committee on streets, reported respecting the report of referees appointed in the case of Josiah Marshall as follows viz. That the referees appointed by them - Josiah Marshall has awarded to the City 1521 feet of land to be taken from the estate situate in Court Street belonging to said Marshall and Theodore Symon. This land was wanted to complete the quantity required to lay out a new street west of the new Court house 20 feet wide. said referees have awarded that the City shall pay to said Marshall & Symon \$30. for said land - \$60 for their own services. Their award forms a part of the

report. By laying out a street 100 feet wide west 371.
of said New Court House it will leave the building di-
rectly in the centre of the square which will give the
whole a uniform appearance. This long contested
question, thus happily ended, will it is believed be
a great gratification to every member of the City
Government. There is now no insurmountable ob-
stacle to prevent the town from sweeping away the rub-
bish that surrounds said building & presenting the
whole square in decent order. The unsightly ap-
pearance of this Public Square for the last four
or five years has annoyed the feelings of the in-
habitants too long already. The Committee there-
fore have prepared an order to take all the time
that will be required to complete said square
including the land awarded by said refer-
ees amounts to 8465 feet besides what the City
already owns. The Committee recommend the
passage of said order, which is respectfully submitted.
To the Committee, Henry Sammons. Read, ac-
cepted & the order passed to lay out a way ac-
round the Court House. Recorded vide page 436, 437, 438
& 439.

Ordered, that there be paid Symon &
to Theodore Symon & Josiah Marshall the sum of
of eighty dollars, in full for fifteen hundred and
twenty one feet of land taken from their estate sit-
uated in Court Street to complete a new street thus
laid out on the westerly side of the New Court

315. House as per award of referees appointed by the Committee for laying out & widening streets, & said Tyman & Marshall, in their giving to the City a good & sufficient deed of the same & releasing the City from all damages.

Foxcroft.
Washington
Street

Ordered, that there be paid to Francis S. Foxcroft, B. Foxcroft, Guardian to Isaac Beck Foxcroft, George S. Foxcroft & Elizabeth Cook devisees of Isaac Cook, deceased the sum of five hundred dollars in full for eighty seven & a half feet of land taken from their estate to widen Washington Street, together with the building that stood on said land, on their giving a good & sufficient deed of the same, & releasing the City from all damages.

Washell.

The Committee on the petition of E. Washell for leave to construct arches under the side walk, in front of his estate on Fulton Street, reported as follows, viz: That there is no objection to granting the petition, provided, the petitioners cause the work to be done in a proper & safe manner satisfactory to the Committee on paving & subject to be removed any time at the pleasure of the Mayor & Aldermen at the expense of the petitioners. For the Committee. Thos. Huntington. Read & Accepted.

Phillips.

The Committee on Finance to whom was referred the petition of Jonathan Phillips & Jacob Quiner, requesting a change of certain

certificates of stock, payable to bearer, reported as, 376.
follows, viz. That the objects of different holders of
certificates of City Stock are so very different, & the
applications of holders for some change in the form
of the notes so exceedingly numerous, that unless there
be an especially urgent reason for authorizing the al-
teration. The great amount of business transacted in
the Treasurer's office is a good reason for not adding a
heavy burden to that which is already sufficiently
onerous. The Committee are unable to perceive any
other grounds for the change than the supposed ad-
ditional security to the holder, when the note is made
payable to order; but in this respect the certificates
of City Stock do not differ from those issued formerly
by the Commonwealth, nor from the daily issues
of bills by the various banks in the State. But it
was never thought expedient for a bank to alter
the character of its notes, though they might be for
a large amount, in order to give additional se-
curity to the temporary holders. The general con-
venience of the public seems to be better subserved
by certificates payable to bearer than by those paya-
ble to order; & if one of the former character could
be changed, it might very soon be thought desirable
to change it back again for the convenience of a
new holder; so that an almost incalculable
amount of business might be added to the duties
of the Treasurer. If any change were to be made
the Committee are inclined to the opinion that

377. it would be *superfluous* & more convenient for all parties to have transfers made in books of the corporation, & when the stock was bought or sold, to cancel the old certificates & issue a new one, as is done with bank stocks, & was formerly done by the United States. Another suggestion has been made to the Committee, viz. to authorize the Mayor & Treasurer to erase the word "bearer" from the face of any certificate, & to endorse on the back that the note is payable to the order of the holder. To this course the Committee objects that it is of doubtful legality, & if the certificate should come into improper hands, the City might, after all, be compelled to pay to the bearer, & still be responsible to those who held it at the time of the endorsement, & the security of the holder would be little increased, as any one who would steal a note would have no great hesitation in forging an endorsement. Of all such new contracts the Treasurer must make a memorandum, & thus again the business of his office would become complicated & troublesome. If for as the principle is concerned there is as much reason for endorsing in like manner every one of the coupons on the interest. The amount to be paid, is of less consequence; but it seems to the Committee that if the City are to give security to individuals against loss at all, they should do it thoroughly & guarantee the interest as well as the principal. Entertaining these views, the Committee find themselves compelled to report against

granting the prayer of the above petition. For the Com. 3/8.
miller. Saml. A. Eliot. Read. accepted & said
order was concurred accordingly.

Ordered, that the Committee on Court house
public buildings be authorized & instructed to cause Iron fence
an iron fence to be put around the new Court
house, & the Committee in paving to pave the side
walk on the North & West Sides of said house, with
Micca slate. forthwith.

The Committee on the petition, Raymond.
of E. A. Raymond, for leave to lay a suction pipe
across Brighton Street, for the purpose of convey-
ing water to his estate, reported as follows: viz. That
there is no objection to granting the petition provided
the petitioner, cause the work to be done in a prop-
er manner & free of any expense to the City.
For the Committee: Thos. Huntington. Read & accepted.

Ordered, that there be paid to Nuttard.
Samuel Nuttard, Benjamin G. Greene & William Washington
N. Greene trustees under the will of Gardner Greene \$1000.
the sum of eight hundred & nineteen dollars, in full
for the hundred & seventy three feet of land taken
from their estate near Beach Street, to widen Wash-
ington Street, on their giving a good & sufficient bond
of the same & releasing the City from all damages.

379.

Ordered, That there be paid

Weathered. to Elijah S. Weathered, the sum of four hundred forty one dollars & seventy five cents, in full for one hundred forty seven & one quarter feet of land taken from his Estate to widen Summer Street, on his giving a good & sufficient deed of the same & releasing the City from all damages.

Ordered, That there be paid to

Wickman, George Parkman, the sum of thirteen hundred thirty one dollars, & forty one cents, in full for seven hundred fifty & ten twelfth feet of land taken from his estate to widen Chardon Street, on his giving a good & sufficient deed of the same & releasing the City from all damages.

McAllister,
Crescent
Court.

The Committee on Streets to whom was referred the petition of James M. McAllister, Charles Hubbard & Benjamin Samson, praying, that Crescent Court or place be accepted by the City as a public highway, reported as follows, viz. That said Court extends north from Green Street & the houses are built in the segment of a circle. The door steps project about five feet from the houses into the court. There is a passage way about three feet wide that leads from the lower part of said Court to Quack Street. There appears to be much confusion relative to the title among their deeds & leases, in fact, it is altogether a private matter that the public conveniences have no concern with. The Commit-

tee therefore report that said Petitioners have 380
leave to write draw their petition. For the Com-
mittee. Henry Tarnam. Read & accepted.

The superintendent of Burial Report of
at grounds, & the receipt of hay at the Bullman City Office.
Seals made reports of money received by them for
the last quarter.

Petition of Robert B. Williams Williams,
& others. Seth J. Thomas & others, & George S. Milne, & Caucasians.
others. for the use of Faneuil Hall on Sunday eve-
ning next for a caucus. The two latter petitions be-
ing by the same petitioners party. It was ordered that
two lots be prepared & drawn, which being done, Seth
J. Thomas & others, drew No 1, & it was thereupon de-
creed that the use of said Hall be granted to them ac-
cordingly.

On motion made the following. Capewell.
my order was read & laid upon the table. viz.
Ordered, that a license heretofore granted to
William S. Capewell, as an Subholder in the
Street, be & the same is hereby revoked.

Adjourned to Monday
next, four o'clock P.M.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday the twelfth day of November. A. D. 1838.

Present.

The Mayor, & the whole Board of Aldermen, except Alderman Richardson.

House of Correction.

The Committee to whom was referred the accounts of the Overseers of the House of Correction, reported that they have examined the same & found them correctly cast & well vouch'd. Read & Accepted.

Alien Passengers.

The joint Committee on accounts to whom were referred the five accounts of the Superintendent of Alien Passengers, reported that they had examined the same, & believe them to be correct. Read & Accepted. Sent down for concurrence. Came up & concurred.

Chaplain.

The joint Committee to whom was referred the Order of the Common Council, to consider the expediency of employing a German as a Chaplain at the House of Industry, Correction & Reformation, reported as follows, viz. That in their opinion, some change in the system of religious instruction in these establishments is desirable, & indeed important to their well being. Probably no class of persons stand more in need of suitable religious influence than that which is to be found in these public buildings, and no pains should be spared to procure the constant services of a well qualified clergyman. In the opinion of

your Committee the effect which may be produced 382.
by such a teacher, in conversation, or by form of
intercourse than lectures from the desk, is as valua-
ble as any that can follow from methodical dis-
courses, but in order to obtain this, the chaplain must
be resident, or at least must be within the walls every
day. In other words, his whole time ought to be devoted
to this particular business, & he will find ample em-
ployment, & at the same time, it may be hoped, a suf-
ficient reward for his toil, in the effect he may be able
to produce on the character of the misguided, & the
comfort & consolation he may afford to the respect-
able & unfortunate. Your committee have after dis-
cussion, come to the conclusion that the union of the
duties of chaplain of the two Houses of Industry & Per-
rection, would be at once convenient & useful, & would
authorize the City Government to appropriate such
a sum as the compensation of the officer who should per-
form the duty, as well secure the services, the constant
services of a competent & devoted chaplain. The
stated religious exercises might be arranged by the
Directors of the two Houses, & the Sunday school &
daily prayers, & occasional exhortations might be
advantageously introduced as the opportunities
& judgment of the chaplain might permit. The
appointment of this officer, it seems to the Com-
mittee being of equal importance with that of any
other in either establishment, should rest with
the City Council, by concurrent vote of the two

383. Branches. The Committee have not introduced the House of Reformation in the proposed arrangement, both because it was thought that the two other houses would be as much as one person could attend to & because the Institution being of a very different character from either of the others, requires very different qualifications, & even more constant attendance of the incumbent. The Clergyman of that institution, may also, with great propriety be the Schoolmaster. This office, in the House of Industry, is provided for by the Boylston fund, under the management of the overseers of the poor. In accordance with these views the Committee submit the following resolve and order. For the Committee. Saml. A. Eliot.

Resolved, That it is expedient that a chaplain for the House of Correction be appointed by concurrent vote of the two branches of the City Council.

Ordered, That a sum not exceeding eight hundred dollars be paid annually to such chaplain, in compensation, of his services, or a proportional sum for a shorter period than a year. Taken in Common Council. Came up for Concurrence. Read and Concurred with the following amendments, viz. By striking out the words "the sum of" & inserting in lieu thereof the words "a sum not exceeding" and the Resolution adopted by striking out the words "The House of Industry" and also by striking out the word "jointly" as made by the Common Council, and this

Board proposed the following amendments, viz. at A in 384.
set "The House of Industry" at B. Strike out "eight"
insert "ten." Sent down for concurrence. Passed up
concurred with this further amendment, at C by insert-
ing the words " & the Hospital for Idiots & Insane. Read
& concurred. The order as finally passed with the sev-
eral amendments, is as follows, viz. Ordered, That it is
expedient that a Chaplain for the Houses of Industry
& Correction & the Hospital for Idiots & Insane, be ap-
pointed by concurrent vote of the two Branches of the
City Council. Ordered, That a sum not exceed-
ing one thousand dollars, be paid annually to such
Chaplain, in compensation of his services, or a prop-
ortional sum for a shorter period than a year.

The joint Committee on Alms. Gray.
Petition of Horace Gray, & others, for the use of the Lands Situated
west of Charles Street, for a public garden &c. reported
as follows, viz. The joint Committee on the Petition of Hor-
ace Gray, & others, for the use of the Lands west of Charles
Street for a public gardens who were instructed to con-
sult the City Solicitor as to the right of the City Council
to authorize the erection of any building in any part
of the Land proposed to be granted. Have attended to
the duty & herewith report the opinion of the Solicitor.
It appears that the erection of buildings on the Land
in question, might be very likely to be followed by lit-
igation, which, if once begun, would certainly be cost-
ly & troublesome, & might be a distraction & war-

385. isome length. The Committee cannot hesitate to express the opinion that such a contingency ought, at all events, to be avoided, & recommend therefore that no permission be given to erect any building whatsoever on the lands in question. If the petitioners, however, can make any valuable use of the land for the purpose requested, without the erection of buildings on the land "west of Charles Street," the Committee are of opinion, that it would be a public benefit to grant the prayer of the petitioners. They have therefore prepared an order, herewith submitted, the conditions of which are the same as those formerly reported, with the exception that no buildings will be authorized on the ground, all which is respectfully submitted. For the Committee. Saml. A. Eliot.

Ordered, That the Committee on Public Lands be authorized & empowered to grant to Horace Gray & his associates the use of such portion of the lands west of Charles Street as they may deem expedient for the purpose of a public garden, & that the use of such land be granted to the petitioners on the following terms & conditions; viz. 1st. That no buildings shall be erected on any portion of the land so assigned. 2^d. That all the property belonging to the petitioners, or their associates shall be removed from the ground, & the land be peacefully surrendered to the City authorities, whenever the City Council shall require, they giving nine months notice of such requisition. 3^d. The Trustee or directors of said establishment shall annually make a report, signed by a majority of their

board, to the City Council, stating the expenditures 386.
made, & the income received. 4th The proprietors of the
garden shall in no case receive to their own use a greater
or sum than six per centum per annum on the amount
invested by them in the garden. 5th all income arising
from the garden over & above said six per centum per
annum upon the amount invested, shall be expended in
improvements of the grounds. 6th No fence shall be erected
on any part of the ground other than such as
shall be approved by the Mayor & Aldermen. 7th
This order shall be void unless the garden be actual-
ly commenced within twelve months from its pub-
lication & notice thereof be lodged by the proprietors
with the City Clerk. Passed in Common Council.
Came up for concurrence. Read & Concurred.

Petition of Mary B. Wood-Woodman.
man to have a certain tax, which was assessed
upon her estate abated. Referred to Aldermen
Wetmore & Brimmer.

Eliot Littlefield licen- Auctioneer
sed as an Auctioneer & his bond approved. Licensed.

Ordered, That there be paid Furber.
to Thomas Furber, the sum of five hundred and Thirty
seventy two dollars in full for two hundred & eighty six
feet of land taken from his estate to widen Broadway
Street near Codman's stable, on his giving a good &
sufficient deed of the same & releasing the City from
all damages.

The Committee to whom was referred the petition of George Odierne, & others, praying that Battery March Street may be better lighted, reported as follows, viz. That in the opinion of the Committee the request is reasonable & that some additional light ought to be afforded. Some years since the proprietors of the Commercial Coffee House situated at the intersection of Milk & Battery March Streets erected a gas lamp, & fixtures complete, which was lighted for a time at the expense of the tenant, but was for some cause subsequently discontinued. The present occupant is desirous to have the lamp lighted, but stated, that as he is at the expense of lighting the house with gas, his business would not warrant his lighting the street lamp also. This lamp being one of the corner, at the intersection of two streets, is favourably located for emitting light in various directions. The Committee, therefore, are of opinion that the gas light ought to be lighted, & also one additional oil lamp be lighted in said Street, nearly opposite the Sun Tavern, & recommend the passage of the following order. For the Committee. Nathan Gurney. Read & Accepted.

Hall.

Ordered, That there be paid to Stephen Wau, the sum of one hundred & sixteen dollars, in full for fifty eight feet of land taken from his estate near Cross Street, to widen Salem Street, on his giving a good & sufficient deed of the same

& releasing the City from all damage.

355.

The Committee on the Market Williams.
to whom was referred the petition of A. D. Williams & others,
to have the occupants of stalls on the South side of the Mar-
ket discontinue the practice of storing & exposing for
sale fruit & vegetables on the side walk, also the petition
of Whiting & Dana to have the occupants of stalls and
cellars on the north side of the Market discontinue
the practice of storing barrels &c. on the side walk &
street. And the remonstrance of Lucius Deolittle &
others against the petition of A. D. Williams & others,
reported as follows, viz. That they have met the par-
ties & heard their statements for & against the petitions
& find that it has been the practice of the occupants of
stalls & cellars or some portion of them, to occupy a large
portion of the streets & side walks adjoining the mar-
ket for storage of large quantities of fruit & veg-
etables, thereby obstructing the streets & sidewalk, &
many of them on the South side make regular
stands on the side walk & expose their articles for
sale & frequently occupy the whole side walk so
as to prevent the public from passing, it is desira-
ble that all accommodation should be granted
to the occupants of the Market that can be consis-
tent, but at the same time the public should also
be accommodated as well as individuals. It does
not appear by the ordinances for the regulation
of South Wall Market, that it was intended

359. The occupants of stalls, should each have the exclusive right to occupy the side walk & street in front of their stalls, but these privileges, in common with all others, connected with the market, & for the purpose of making the accommodations equal to all the occupants of the market, & more convenient for the public. The Committee recommend that the Clerk of the Market cause the obstructions made by the storage of articles in the side walks & street, to be kept free from all obstructions for the use of all coming to the Market with carts or carriages, having produce of any kind for sale, as provided in the ordinance regulating Faneuil Hall Market. For the Committee. The Winding Road & Acceptance.

Middlesex
Street.

Whereas a nuisance of water
Stagnant water exists upon a lot in Middlesex
Street (a street not accepted by the City), the
said lot being the last on the west side of said
street, & whereas the same in consequence of
its peculiar situation cannot be easily or
readily drained. Therefore it is ordered, that
the Marshal be & he is hereby directed to notify
the owner or agent of said lot to abate the nuis-
ance, by properly filling up the said lot in five
days from such notification, & in case of neg-
lect that the same will be done under the di-
rection of the Marshal, at their expense.
Adjourned to Wednesday next twelve O'Clock M.

At a meeting of the Ward 390.
of Aldermen of the City of Boston, held at City Hall,
on Wednesday the twelfth day of November. 1838.

Present,

The Mayor and the whole Board of Aldermen.

The Board proceeded to examine & to
receive the returns of votes from the several wards given
in, on Monday last, viz: for Member of Congress for
district Number one; Governor. Lieutenant
Governor. Senators & Representatives, & found them
as recorded in the book kept for that purpose.

Ordered, That the several cer-
tificates of the election of those persons who have been
voted for & elected be made out, & returned agree-
ably to law, & notices be made & directed to the twenty
persons elected Representatives to be delivered
to each of them by a Constable.

Ordered, That warrants be if Warrants
sued for meeting of the Inhabitants in their several
wards, on Monday the twenty sixth instant, being
the fourth Monday of said month at eleven o'clock
A.M. for the purpose of electing twenty
six Representatives, to represent the City in
the next General Court, to complete the num-
ber fifty six, that being the number agreed up-
on by the City Council. The poll to be kept open
until four o'clock P.M.

391.
Halls.

Ordered, that there be paid to Stephen Hall, the sum of thirty seven dollars and seventy cents, in addition to one hundred & fifteen dollars, ordered to be paid to him, on the twelfth instant, in all one hundred fifty three dollars and seventy cents in full for fifty eight feet of land taken from his estate near Cross Street, to widen Salem Street in giving a good & sufficient deed of the same & releasing the City from all damages.

House of
Reformation

Communication from the Superintendent of the House of Reformation, requesting some repairs in the yard of that institution. Referred to the Committee on House of Reformation, Correction &c.

Recd.

Communication from Josiah Reed, requesting the privilege to remove from Rainsford Island, the body of his brother, which was buried there in September last. Referred to the Committee on Quarantine.

Adjourned to Monday
next, four o'clock p.m.

At a meeting of the Board 392.
of Aldermen of the City of Boston, held at City
Hall, on Monday the nineteenth day of November
A. 1838. — Present.

The Mayor, & the whole Board of Aldermen.

The Committee on the petition of Augustus Saben, for a license to exhibit animals & paintings at the corner of Fulton and Commercial Streets, reported, that the prayer of the petitioner ought to be granted. Read & Accepted.

Petitions of Albert Reed, Reed, for a license to exhibit a large calf, near the Briggs, Equine House Dock Square, of Ezra Briggs, to Harvey exhibit feats of activity & philosophical experiments at numbers seventy & Washington Street & of Henry Harvey to exhibit feats of activity, rope dancing & other comical performances, at the Lion Theatre. All referred to the committee on licenses with full powers.

Petition of Henry Curtis, Curtis, praying, that the level of Trent Street, may be Trent determined. Referred to the Committee on paving. Read.

The Committee on the petition of Josiah Reed, for leave to remove the body of his brother from Rainsford Island reported.

393. That the prayer of the petitioner ought to be granted.
Read & accepted.

Auctioneer
licensed.

Henry Robins Licensed as an Auc-
tioneer & his bond approved.

White.

Waukegan Street.

The Committee on the petition of
Artemus White, to leave the line of Waukegan Street,
where he contemplates building, reported, that said
White be directed to put the house he is about
building on the same place where the wooden fence
formerly stood, in line of the street. Read & Accept-
ed.

Warrior.

The Committee to whom was
referred a contract made between the City & Isaac
Warrior, reported as follows, viz. That said contract is
dated Nov. 6. 1826. & in it said Warrior granted to the
City the privilege of carrying a common sewer
through his land from Commercial Street to the
dock, for the term of twelve years, & the City agreed
to pay said Warrior two dollars annually & to keep
said sewer & cist pool in repair & to permit said
Warrior to enter said sewer by drains from his es-
tates; that the terms of said contract have been
complied with by both parties thereto, and that
it has now expired, from its own limitation. The
Committee also report that the City is still oblig-
ed to make use of said common sewer & will be
obliged to use it until a common sewer is laid
through Commercial Street to Minnissinet Ferry

or else where, & that it is therefore expedient to re 394.
new said contract: & they offer the following order.

For the Committee. The Mayor. Ordered, That

The Mayor be authorized to renew for the term of twelve
years a contract made by the City with Isaac Harris
dated Nov. 6. 1826 relating to a common sewer
said from Commercial Street to the Dock, through
Land of said Harris, on the same terms as are men-
tioned in said contract, reserving however to the City
the right to annul said contract whenever it
expedient to discontinue said Common Sewer.
Read & Accepted.

A motion was made that Crosby
an order be passed directing the City Marshal estate
to notify the occupants of the Crosby estate in Battery Marsh
Battery Marsh Street to remove a pump from Street.
the side walk in front of the said estate. Also
that he notify the proprietors of estates on the south-
westerly side of said street, easterly of Milk-
street to repair the side walk in front of their
respective estates. Referred to the Committee on
paving.

The Committee on Camps to whom White
was referred the petition of Warren White, & others,
to have Camps placed & lighted on Suffolk Street
between Castle & Dover Streets, reported as follows
viz. That since the extension of Suffolk Street
from Dover Street to Castle Street many new
buildings have been erected, most of which are

395. dwelling houses. This improvement has also been the occasion of a great increase of travel in that direction to avoid pavements. The Committee therefore, are of opinion that the street between those two points ought to be lighted. it has however, been the policy of this board, in many cases when new buildings have been erected to require the proprietors to erect the lamps at their own expense, which is, generally a salutary regulation, nevertheless, as a considerable portion of the land on this section of the street is still vacant, & the proprietors have little interest in lighting the same. The Committee deem this a proper case, for a departure from their general rule, & therefore recommend the passage of the following order. For the Committee. Nathan Gurnsey. Ordered, that the Superintendent of Lamps deliver to Warren White one of the petitioners for lamps to be placed on Suffolk street between Castle & Dover streets, or to such other person as may be designated by said petitioners six oil lamps together with their frames or fixtures, from those on Washington street which have recently been superseded by gas. Provided said petitioners engage to erect them on Suffolk street at their own expense, on such places as the Superintendent of Lamps shall direct. Read & Accepted.

The Committee to whom was referred the petition of Mary B. Woodman, for

an abatement of taxes, reported as follows, viz. 396.

The powers of this board, acting as county commissioners, in the abatement of taxes are limited to a very few cases & can be exercised only on the prior performance of certain acts by the party petitioning. In the present case the mere lapse of time takes from the board all power on this subject, nor does it appear that the petitioner has ever complied with the requirements of the Statute. They therefore are of opinion that this board cannot grant the prayer of the petitioners & that she have leave to withdraw. For the Committee. Thos. Wetmore.

Agreeably to assignment the Caspwell board took into consideration the motion that an order be passed, to revoke the license of William P. Caspwell as an Gunholder. And after the examination of divers witnesses, & a full hearing of said Caspwell by his council, & mature deliberation being thereon had, the board are of opinion, that the allegations against said Caspwell are not supported by evidence, & that the motion for the revocation of his license be dismissed.

The City Clerk made a report - City clerk, of the moneys received by him, & paid over to the City Treasurer, the last quarter ending the first instant. Read & put down.

Adjourned to Monday next four o'clock, p.m.

397.

At a meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday the twenty sixth day of November, A. D. 1853. Present.

The Mayor, and the whole Board of Aldermen.

Roberts.
Tulton Street.

Petition of George T. Roberts, praying, that he may be remunerated by the City, for the damage he sustained by having his wagon broken by falling into a hole in Tulton Street. Referred to the Committee on paving.

Worce.

Communication of Joseph Worre, for himself & his sister, respecting their right to a passage way, & claiming pay for the same, it having been taken to make the way around the New Court House. Referred to the Committee on Streets.

Page.
Washington Street.

Communication from Thomas Page respecting the damage he sustained in consequence of the street at the corner of Washington & Winter Street being raised. Referred to the Committee on paving.

Sargent.
Cordham St.

Petition of John T. Sargent, praying the use of the School House in Cordham Street for the purposes of an evening & Sabbath school in connection with Suffolk Street Chapel. Referred to the Committee on Public Buildings.

The Superintendent of drains 398.
& sewers, reported the cost & a segment of common Richmond
sewer in Richmond Street. Read & passed, and Street.
Whereupon ordered, that said Superintendent make
out the several bills & lodge them with the Treas-
urer for collection.

The Committee on drains and Charles Street
sewers, reported, that pursuant to an order of this common Council
Board a common sewer has been constructed from
Charles Street near the Baptist Meeting House to
low water mark, through lots belonging to the
proprietors of said Baptist Society. Read and
Accepted.

The Committee on drains and Warren
sewers, reported, on the petition of Thomas B. Warren A. Street
Warren, & others, for a common sewer in A. Street,
that the individuals who will be benefited by the
Common sewer aforesaid, are very few, & the ex-
pense thereof will be so great, viz: about fifteen
hundred dollars, that they have not deemed
it expedient to propose the construction of the
same, the present year & they ask to be discharged.
Read & Accepted.

The Committee to whom was Tucker
referred the petition of Henry Tucker, & others to H. Street
have H Street opened, reported, that the comple-
tion of the street aforesaid, at the present time
is not required for the safety or convenience of the
Inhabitants, & that therefore the petitioners have

399. Leave to withdraw. Read & accepted.

Ceppin.
Essex Place.

The Committee to whom was referred the petition of William Ceppin, to have the common sewer in Essex Place extended & carried to a line on Smith Cove Land, reported, that pursuant to the order of this Board, the common sewer, referred to in the above petition has been laid under the direction of the City Marshal, according to the provisions of the ordinance for the preservation of the health of the City. Read & accepted.

Parker.
Trent Street.

The Committee to whom was referred the petition of M. S. Parker, & others, that a common sewer may be made in Trent Street; reported that said sewer be laid. Read & accepted.

Federal
Street.

The Committee on drains and sewers, reported, that a barrel drain has been laid in Federal Street, agreeably to the order of this Board. Accepted.

Osborn.
Vance.
Haskins.

Several petitions & orders of Court wherein of Catherine M. Osborn, & others, John Vance & Ralph Haskins, that juries may be impanelled to assess the damages, which they sustain in consequence of their lands being taken to extend Beach Street, &c. Referred to the City Solicitor. Adjourned to Wednesday next 12 O'Clock, A.M.

At a meeting of the Board 1100.
of Aldermen of the City of Boston, held at City
Hall, on Wednesday the twenty eighth day of
November A.D. 1838.

Present,

The Mayor, & the whole Board of Aldermen.

The Board proceeded to examine
the returns of votes given in the several wards
on Monday last, for thirty six Representatives
to represent the City in the next General Court,
to complete the number fifty six, that being
the number agreed upon by the City Council. And
they found that there was no choice, no one hav-
ing a majority of votes.

Ordered, That warrants be issued Warrants for
for meetings of the Inhabitants in the several wards, as Ward meetings,
established by the Ordinance relating to the division of the
City of Boston, passed October 1st 1838. on Monday the
tenth day of December next, at twelve O'Clock at
noon, for the choice of Warden, Clerk, Inspectors of
elections, School Committee, Assessors of the Poor,
Members of the Common Council, Mayor & Alder-
men, And That the poll be kept open until four
O'Clock p.m.

Adjourned to Monday next,
four O'Clock p.m.

401.

At a meeting of the board of Aldermen of the City of Boston held at City Hall, on Monday the third day of December D. 1838.

Present.

The Mayor, & the whole board of Aldermen, except Alderman Huntington.

Jury box.

Ordered, That the subject of revising the Jury Box, & selecting a list of persons stable & qualified, to serve as Jurors in the several Courts be committed to the whole board, with instructions to report such lists conformable to law.

Table.

Remonstrance of Daniel Dole, & others, against the license of Albert Reed, & to exhibit in Dock Square an extraordinary Cal. Referred to the Committee on Licenses.

Harrington.

Petition of John Harrington, for a license to exhibit at Congress Hall the panorama of the conflagration of Moscow, together with his ventriloquism & other experiments. Referred to the Committee on Licenses.

Potter.

Petition of J. Potter, for a license to exhibit at Concert Hall, Sigurdsmann, Ventriloquism &c. Referred to the Committee on Licenses.

Seary.

Petition of John Seary, for a license to exhibit at a building corner of Cross

& Ann Street, wild animals. Referred to the Com- 1192.
mittee on Licenses.

Petition of Thomas J. Brown Brown.
for leave to stand with omnibuses near Tremont Common
House. Referred to the Committee on Licenses.

Communication from the Bells.
Police Court respecting the Ordinance respect-
ing ringing of bells. Referred to City Solicitor.

The Superintendent of Drains Trout
& sewers made a report of the cost & apportionment of Street
Common sewer in Trout Street. Read & accepted,
& thereupon Ordered, That said Superintendent
make out the several bills & lodge them with the
Treasurer for collection.

The Committee on Licenses. 1193.
To whom was referred the remonstrance of Daniel G. &c.,
& others, against the license of Albert Reed &c. to exhibit
an extraordinary calf, near their store in Court Square
or any where else to the annoyance or detriment of their
property, reported, That said Reed's license ought to be
revoked, he not having complied with the conditions,
on which the same was granted, vizt. to obtain the con-
sent of the several proprietors of stores in the neighborhood
of the building about to be erected for the exhibition of
the same, which report was read & accepted, and said
license was revoked accordingly.
Adjourned to Monday next. For. C. H. H. H.

403.

At a meeting of the Board
of Aldermen of the City of Boston, held at City Hall,
on Monday the tenth day of December, A. D. 1838.

Present.

The Mayor, & the whole body of Aldermen were present
Alderman Huntington.

Franklin fund

Application of William P.
Haley, for a loan from the Franklin fund. Referred
to Aldermen Tarnam & Gurney.

Hall.

Cottage
place.

Memorial of James Hall, respect-
ing the lighting of gas lamps, near Cottage place. Ref-
erred to the Committee on Lamps.

Lewis
Trent street.

Petition of Winslow Lewis,
& others, to have lamps placed & lighted in the new
part of Trent street. Referred to the Committee
on Lamps.

Hall.
Salem
Street.

The Committee on Streets ask
leave to correct an error in the statement of the
number of feet of land taken several years since
from the estate of Stephen Hall to widen Salem
Street. The order that passed this board on the
fourteenth of November last in addition to the
order that passed the twelfth ult. names 58 feet
of land taken. It is now discovered by examining
the plan of taking that twenty feet only was
taken from said Hall's estate, & that the fifty

eight feet was taken from the Brigham estate M14.
next but one adjoining. This error was discover-
ed by our excellent method of requiring a deed
of the land taken. The Committee therefore rec-
ommend that the orders that passed this board on
the twelfth & fourteenth of November last be recon-
sidered & the following order passed in lieu of it.
For the Committee. Henry Farnham. Ordered.
That there be paid to Stephen Read the sum
of fifty three dollars in full for twenty feet of
land taken from his estate near Crip's street,
to widen Salem Street on his giving a good &
sufficient deed of the same & releasing the
City from all damage Read. The former or-
ders respecting the same were reconsidered, &
the order reported as above was passed.

The Committee on the Petition of John Harrington for a license to ex-
hibit the confederation of Mason &c. at con-
gress Hall. Reported. That the prayer of the
petitioner ought to be granted. Read &
accepted.

The Committee on the Petition of Thomas P. Brown, to have a
stand a sign for his Committee to run to &
from the several Rail Road depots reports
as follows. viz That they do not consider it
expedient to establish in the streets stands

405. for omnibuses or stage coaches which are intended to ply merely within the Peninsula of the City, & that therefore the Petitioners have leave to withdraw. Tho. Wetmore for the Committee. Read & Accepted.

Levis. Petition of Samuel Levis
Bunker Hill. for a license to exhibit the Panorama of battle of Bunker Hill. Referred to the Committee on Licenses with full powers.

Fales. Petition of Samuel Fales,
Williams & others, to have Williams' Court accepted as a public highway. Referred to the Committee on Streets.

Sanatic. The account of the Trustees
Hospital. of the State Sanatic Hospital against the City. for the support of inmates from the City. Referred to the Committee on accounts. Put down for concurrence. Came up Concurred.

Auditor's report. The Auditor of Accounts quarterly report. Came up from the Common Council. Read & filed.

Jepson. Petition of Samuel Jepson
for. damage for taking his land to extend Fremont Street, & the order of Court thereon. Referred to the City Solicitor.
Adjourned to Wednesday next. Twelve O'Clock. W.

At a meeting of the Board H.C.
of Aldermen of the City of Boston, held at City Hall,
on Wednesday the twelfth day of December. D. 1838
Present.

The Mayor, & the whole Board of Aldermen, except
Alderman Huntington

Lists of Jurors reported jury box
by the Committee of the whole Board, as selected revised,
by the several Aldermen, to serve in the several
Courts to be holden in this City, agreeably to Law
Accepted.

Whereas there is at present, & Commercial
has been for some time past a large quantity of Street
Clay, rubbish & materials on Commercial Street,
on the east side of the same, between Charter &
Prince Streets; & there being also a dangerous
excavation of the side walk opening to a well.
Now therefore it is ordered, that the person or per-
sons interested in the premises be notified by the
Marshal to remove said clay, rubbish & materials
& fill up said excavation & repair the side walk
in four days from such notification, & in case of
neglect or refusal that the Marshal have the
same done at his or their expense.

The Board proceeded to ex- Vote
amine the returns of votes from the several wards, Mayor
& found them as recorded in the book kept for Aldermen
that purpose. The whole number of votes for Mayor,

1407. was 6287
 Necessary to a choice 3154
 Samuel A. Eliot had 3766
 and he was been duly elected Mayor of the
 City for the year ensuing.

The whole number of Votes for Alderman was 6254
 Necessary to a choice 3128
 Henry Farnam had 4088
 Thomas Wetmore " 4103
 Nathan Gurney " 4104
 Joseph W. Hayward... " 4106
 Thomas Hunting " 4108
 Isaac Harris " 4109
 Samuel Quincy " 4107
 James Harris " 4104
 and they were duly chosen Aldermen of the
 City, for the year ensuing.

Ordered, That the above
 named gentlemen be notified of their elec-
 tion, & the result be published according to
 Law.

Adjourned to Monday
 next. four o' clock, P.m.

At a meeting of the board 408.
of Aldermen of the City of Boston, held at City
Hall, on Monday the twentieth day of Decem-
ber, A. D. 1838. Present.

The Mayor, & the whole board of Aldermen, ex-
cept Alderman Gurney.

A Certificate from the War Ward No. 11.
Clerk of Ward No. 11. stating that there is a warrant for
vacancy in the Common Council only three being the Ward Meeting.
viz., the meeting of the Inhabitants of said ward hav-
ing been adjourned without day. Read & thereupon
Ordered, that a warrant be issued for a meeting
of the Inhabitants of said ward, on Monday next,
twelve O'Clock M. for the choice of a member of
the Common Council. And that the poll be kept
open until four O'Clock p.m.

An Ordinance in addition to Street.
an Ordinance establishing the Office of Superin-
tendent of Streets & prescribing the duties thereof; to
prevent unlawful & injurious practice in the Streets
of the City; & in relation to side walks. Read
& thereupon ordered to be laid on the Table and
printed for the use of the members of the City Council.

Ordered, That Aldermen Far- Harbour
nam. Harris & Brimmer, with such as the Common
Council may join, be a committee to consider and

469. report upon the expediency of applying to the Legislature for an act to provide for the appointment of a harbor master. Put down for concurrence. Came up concurred & the Common Council joined on its part. Messrs. Curtis, Harris, Rose, Jepslyn & Amory.

Wildermuth.

Upon the representation of Nicholas Spenshroft, alias Sand & E. W. Arnold. Ordered, that a complaint be made to the Judge of Probate for the County of Suffolk, that Mary J. Wildermuth of said Boston, widow, does by excessive drinking, so spend, waste & lessen her estate, as to expose herself & family to want and suffering circumstances, & the City to a charge for her & their support, and praying that a Guardian may be appointed to the said Mary according to law.

Federal Street

The Superintendent of drains & sewers, made a report, of the cost & a statement for the construction of a common sewer in Federal Street, Head, Accepted, & thereupon ordered, that said Superintendent make out the several bills & lodge them with the City Treasurer for collection.

Fire

Ordered, that the Committee on the fire department be instructed to consider & report on the expediency of providing for withholding the compensation of those members of the department who may be discharged for neglect of duty.

Application of William H. 10.

Beals for a license to exhibit two living Armadillo Beals.
Los. & if Albert Reed Esq. to exhibit a remarkable Reed.
Calf. Referred to the Committee on licenses with
full power.

Petition of C. J. T. Binney. Binney.

& others that side walks be made in Mount Vernon
Street in front of the estates owned by Messrs. Otis,
Warren, & Mason, & that flag stones be placed across
said street opposite Louisburg Square, Cedar
street & Pinckney Street. Referred to the Committee
on paving.

Application of John Breed. Breed.

praying, that the damages may be assessed for ta-
king his land at Belle Isle for a road, by the
Eastern Rail Road Corporation. Referred to the
Committee on streets.

Samuel S. Grosvenor, gives Grosvenor.

notice, that a reservoir, constructed by the City
in Hanover street some years since, which he
alleges encroaches on his estate No 37 in said
street, and that it is his intention to dispute the
right of the City to use that part of the reservoir which
is on his land for any purpose whatever, & to pre-
vent the City acquiring such right. Referred to the
City Solicitor.

The Inspector of Alien Papers. Alien

gives accounts for the months of October, November and
December 1838. Read & sent down.

111.

Petition of Jonathan Phillips.

Phillips.

Others to have the portrait of John Quincy Adams
John Q. Adams. placed in Faneuil Hall, which they have lately
procured. Reported to the Committee on public
buildings.

Adjourned to Monday next,
four O'Clock. P.M.

At a meeting of the board
of Aldermen of the City of Boston, held at City
Hall, on Monday the twenty fourth day of
December A. 1838.

— Present.

The Mayor, and the whole board of Aldermen.

Auditor's

The Auditor of accounts.

annual report. made his annual report of the receipts & expen-
itures of the City Government, for the next fin-
ancial year, which commenced on the first day
of May, 1837, & terminated on the thirtieth day of
April, 1838. In Common Council, read & there-
upon ordered, that the auditor of accounts be
authorized to cause seven thousand copies of said
report & the estimates of the current year, together
with a particular statement of all City property

to be printed & distributed for the information of the 11/2.
Inhabitants. Came up for concurrence. Read
& Concurred.

The Committee on the intro- Water.
duction of water who were instructed to inquire into
the expediency of offering to pay a bonus to any in-
corporation or association, who will at their own expense
introduce into the City a full supply of pure & soft wa-
ter. Reported as follows, viz. on a former occasion this
Committee expressed the opinion, "that it is expedient
for the City to begin & complete the necessary works
for the introduction of a supply of pure water." In
this opinion, it is believed that both branches of the
City Council concurred at the time. Though in con-
sequence of disagreement on other points presented
in the resolutions of the Committee it does not ap-
pear on the records of the acts of the Council. The
Committee still adhere to this opinion, for the
following reasons. There are advantages, which
can be obtained by the City in the construction of
such works, which cannot be made up to indi-
viduals, or to a private corporation, without the
payment of what might reasonably be considered
an exorbitant bonus. For instance, the City can
ordinarily obtain the use of money at a much
lower rate of interest than individuals, & suppos-
ing the works to require a million of dollars, the
City might have the use of one or two hundred
and dollars more, at the same cost as individuals

413. could obtain the millions. Then the public uses to which the water may be applied, such as cleaning the streets, extinguishing fires, supply to public buildings &c. are of high importance to the City in its corporate capacity, but of none at all to individuals, who might embark in the enterprise as a matter of speculation, or of reasonable investment of property. All these purposes must be paid for by the City, to any association of individuals, by a proportionate bonus, and the Committee are of opinion that the City Council will hardly be induced to offer such a one as might be considered equivalent to the cost that must unavoidably be incurred for these purposes. As long, therefore as there is any reason to hope that the City will undertake the work, the Committee are of opinion that it is inexpedient to offer any bonus to a private corporation. If, however, it should hereafter appear that the City could not be induced to begin this noble work, it would then, as the Committee believe, be desirable that it should be done by others, rather than not at all. At the present time, the Committee are clearly of opinion that the offer of a bonus is inexpedient. In connection with this report, the Committee have the pleasure of communicating to the Council the revised estimate, of the majority of the board of Commissioners, according to the instructions given them by the order of the City Council, passed in April last. It will be perceived that they adhere to their former opinion, in the preference they give to Spot & Mystic Ponds, & that no very great change is made in the estimate.

of the cost. All which is respectfully submitted. For 11/11.
The Committee. Samuel A. Eliot. Read & accepted.
Sent down for concurrence.

Order of the Common Council Streets &c.
cib. directing that the Ordinance entitled "an ordi-
nance in addition to an ordinance establishing the
office of Superintendent of Streets, & prescribing the
duties thereof, to prevent unlawful & injurious prac-
tices in the Streets of the City, & in relation to Sidewalks
be referred to Messrs. Austin, Lincoln, J. Parker, Whit-
ow & Deacons, with such as the board of Aldermen might
join, to consider whether any & what alteration or mod-
ification of said Ordinance is necessary, & whether it is expe-
dient that the whole or a part of the same should be
repealed, & that said Committee have leave to report
by ordinance or otherwise. Came up for concurren-
ce. Read & Concurred, & Aldermen Wetmore, Tarnam
& Suracy were joined. And the ordinance in addition
to the above mentioned ordinance was referred to the
same Committee.

The Committee to whom was Referred.
referred the petition of John Sears, for a license to Wild Animals.
exhibit wild beasts, in a building corner of Cross
Ann Streets, reported that the prayer of said petition
ought to be granted. Read & accepted.

The Committee who had full Read.
Spence on the petition of Albert Bond 2. for a license City.

415. To exhibit a remarkable Calf, on a vacant lot on Blackstone street; reported, that the prayer of the petition has been granted.

Brals. The application of William Armadillos, Brals to remove his Armadillos from South Boston to Amory Wall, referred to the Committee on Licenses with full power.

Harbour Master. The Committee appointed to consider & report upon the expediency of applying to the Legislature for an act to provide for the appointment of a Harbour master, reported the following order, viz. Ordered, that the Mayor be requested to apply to the General Court for an enactment of a Law authorizing the City of Boston, or the Governor of the Commonwealth to appoint a Harbour master for the port of Boston. Read, Accepted, & the order passed. Sent down for concurrence. Came up concurred, with this amendment, viz. strike out the words "or the Governor of the Commonwealth". Read & Concurred.

House of Reformation. The Committee to whom was referred the subject matter of difference between the two boards in relation to the easterly limits of the House of Reformation, reported as follows, viz. That the Committees of the two branches of the City Government have given the matter in dispute a personal examination, as well as others subjects connected with it in relation to the City farm at South Boston. The subject in question is a proposed addition of about three acres to the seven already

appropriated to the House of Reformation. The whole quan- 1416.
tity of land purchased for the House of Industry was sixty
one acres. & there has been taken for the House of Cor-
rection, & Reformation; Insane poor, workshops, roads &
other purposes twenty five acres, leaving to be cultivated
by the inmates of the House of Industry only about
thirty five acres, & probably less. It is now proposed
to add three acres more to the House of Reformation, re-
ducing by that amount the grounds appropriated to the
City farm. This your committee believe already too
small, & ought not to be diminished; on the contrary that
a larger quantity of land under proper cultivation would
serve very considerably to lessen the heavy annual expen-
ditures for the support of the poor. To obviate this dif-
ficulty your committee endeavoured to ascertain whether
or more land could be added to the City farm on
the west, & thereby straighten the western line. But
it was found that the proprietors demanded one third
more for their lands than in the opinion of any of your
Committee, & of judicious individuals, crues of land
at South Boston, it was estimated to be worth. The
price demanded was so exorbitant that the Com-
mittee were obliged to abandon all hope of purchase
at present. But there are other objections to the propos-
ed addition, among which is, that in the present state
of the House of Reformation the additional ground
is not required. The whole number of boys is ninety
one of which number only about twenty five have
strength to perform much useful labor on a

417. farm. That there are over five acres under cultivation, a part as a garden, & a portion in potatoes, if the whole was subject to shade culture, it is as much as is necessary for the healthy exercise of the boys, & more than there is force properly to improve. If more land is added, it will be requisite to procure & maintain the animals & implements necessary for a small farm. The House of Reformation was designed for the reception of a class of youths just commencing a course of crime, an abode in which they might be separated from older, & more confirmed offenders, in which their morals might be reformed, & the elements of education acquired, & not for a Farm School. Your Committee find on inquiry that there are youths now in the House of Reformation who have been there for several years. This institution cannot be considered in any other light than as a juvenile house of correction, a prison for minor offences & in the opinion of your Committee there are very serious objections to the detention of children longer than is necessary for their improvement in morals, & instruction in the simpler branches of education, and the most ardent friends of the Institution have doubted whether a long continuance in this abode, & an association with the later & more corrupt inmates & the degradation necessarily attendant on such a residence is not more prejudicial than advantageous to the morals of the youths confined there. And among your Committee there is no difference of opinion as to the impropri-

ety of adding any inducements to retain children 1118.
in the Institution for instruction in farming, to
a later period than is absolutely necessary. For
this & other reasons your Committee recommend
the passage of the following Resolves, & ask to be dischar-
ged. For the Committee, Mr. Brimmer, Chairman.
Resolved, That this board adhere to its vote, directing
the fence of the House of Reformation to be finish-
ed in a southerly direction. Read, accepted, and
thereupon ordered, That this board adhere to its own
vote, directing the fence of the House of Reformation
to be finished in a southerly direction.

Order of the Common Council—Alien
cil referring the accounts of the Superintendent of Passengers,
Alien passengers, to the Committee on accounts,
Came up for Concurrence. Read & Concurred.

Petition of Jonas Fitch, & Fitch,
others, members of the fire department, praying that bells,
one of the three bells be rung on the alarm of fire,
vizt. Chauncey place, Essex Street or Boyles-
ton Market. Referred to the Committee on the
fire department

Ordered, That Alderman Franklin
Gurney & Brimmer be a Committee to audit the funds
accounts of William Meniot, Ex. Treasurer of
the Franklin funds.

1119.
Hall.
Cottage Place.

The Committee on Camps to whom
was referred the communication of James Hall, relative
to the Camps in Cottage Place, reported as follows, viz.
"That the Committee on the receipt of this communica-
tion lost no time in instituting an enquiry to ascer-
tain the cause of the Inhabitants of Cottage Place being
involved in such "gripping darkness" that the gas lamp
standing at the Head of Cottage Place has been a mon-
ument of its own surrounding darkness." Moreover upon
a slight examination of the case, it was ascertained
that some trifling derangement of the apparatus
which conducts the gas to the lantern, was found to
be the cause of all the trouble, which was immediate-
ly adjusted, & the Inhabitants relieved from their
unpleasant situation. In relation to the gas lamps
being prematurely "clipt out" the committee will only
remark, that one rule has uniformly been observed
for extinguishing the gas lights, at twelve o'clock
at night with the exception of some ten or twelve of
which are located at some public places which are
allowed to burn during the night. The Committee
therefore ask to be discharged. For the Committee,
Nathan Gurney. Read & Accepted.

Unfinished
business.

Ordered, that Alderman Wet-
more, Gurney & Whiting, with such as the Common
Council may join, be a committee to consider &
report, what unfinished business there is, which
requires the action of the Present City Council. put

dimin for concurrence. Came up concurred & then 1170.
Common Council joined on its part Messrs Shat-
tuck, Richardson & Jopelyn.

Ordered, that the City Treasurer Summer
shall be directed on behalf of the City, to take possⁿ Street
ession of a piece of land lying easterly of Broad
Street, & extending toward Low water mark, bound
on the north by Robbins' Late Gridleys or Gills
wharf, & on the south by a straight line thirty feet
distant therefrom. The said piece of land being
part of Summer Street, & that the Marshal
cause all obstructions to be removed from the prem-
ises & cause a fence to be erected on the north & south
sides of the same, under the direction of the Com-
mittee on laying out & widening streets.

Resolved, that the safety & Summer
convenience of the Inhabitants require that sum- Street.
mer Street be widened, on the south side, & near
South Street, therefore ordered, that the same is
hereby widened by taking a piece of land from
the estates, as follow. viz. Beginning at the inter-
section of the southerly line of Summer Street,
from thence running southerly by said South
Street three feet, then running easterly by a straight
line parallel with the present line of said Sum-
mer Street & three feet distant therefrom one hun-
dred & fifty feet eight inches, then running north

H21. only three feet. Then running westerly by the present line of said Summer Street one hundred & fifty feet eight inches to the place of beginning, taking from William Parsons, seventy eight & one quarter square feet of land; from Cole & Webster 144 square feet of land; from W. Whitney, seventy five square feet of land & from Marshal & Sawyer one hundred & eighty two square feet of land as marked on a plan drawn by S. P. Fuller, dated August 1836.

Green & Snelling

Ordered, That there be paid to William Green, & Enoch W. Snelling, the sum of four hundred & sixty dollars ^{250.00} in full for two hundred & nine square feet of land taken from their estate near Prince Street to widen Snow Hill Street, on their giving a good & sufficient deed of the same & releasing the City from all damages.

Brigham.

Salem Street.

Ordered, That there be paid to Charles L. Brigham, one hundred & forty five dollars in full for fifty eight feet of land taken from his estate to widen Salem Street, on his giving a good & sufficient deed of the same & releasing the City from all damages.

Lamps.

The Committee on Lamps reported, the following order, vizt. Ordered, That the Superintendent of Lamps place one of the lamps the City have on hand, in an iron fixture attached to a building on the corner of Silver Street, & also one other lamp on the corner

of Fourth Street & Turnpike Street near No. 1122,
Franklin Bank, provided a suitable lamp
shall be erected free of expense to the City, & that
they be lighted at the expense of the City. Ac-
cepted & order passed.

The Committee on Streets & Parks
reports that an order passed the Board on the Broad-
fifth day of June last, taking from the estate of
of Andrew Drake one hundred square feet of
land from the west side of Broad Street, & three
hundred eighty seven & one quarter feet from the
east side to widen said Broad Street, & that
the land taken from the east side of said street
embraces one hundred forty two & one quarter feet
that lay in a passage way leading to said Drake's
wharf, which when deducted leaves three hun-
dred & forty five square feet of land taken from
said Drake's estate. The Committee recommend
the passage of the following order, for the pay-
ment of the same, vizt. Ordered, that
there be paid to Andrew Drake, the sum of six
hundred & ninety dollars, in full for three hun-
dred & forty five square feet of land taken from
his estate to widen Broad Street, on his giving
a good & sufficient deed of the same, & releasing
the City from all damages.

Ordered, that there be paid Supt.
to Solomon Soper the sum of the hundred & twenty dollars

1123. four dollars in full for one hundred & twelve feet
of land taken from his estate to widen Broad
Street, in his giving a good & sufficient deed of the
same, & releasing the City from all damages. In
the order of taking said land Mr. Urville is nam-
ed as the owner. He was only in possession, & said
Paper appears to be the owner.

Phillips.
Adams
Portrait.

The Committee on public
buildings to whom was referred the communication
of Jonathan Phillips, & others, requesting that
a portrait of the Hon. J. L. Adams, which they
present to the City may be placed in Faneuil
Hall, reported as follows, viz: That in their opinion
the board should comply with the wish expressed
by those of their fellow citizens who have procured
this picture. While the Committee, however, wish
to gratify gentlemen for whom they entertain a
high respect, they are desirous of putting on record
the reason which operates on their minds, for
granting the request, & at the same time of enter-
ing their protest against having a precedent
established which might lead to a practice
that would occasion serious inconvenience. It
does not appear to the Committee a sufficient
ground for placing a portrait in Faneuil Hall,
that the original has proved himself, in the opin-
ion of a few individuals, a firm & able advocate
of the principles of civil & religious liberty. There

are many such in the country, it is hoped and 1124.
believed, & if all who are disposed to pay a com-
pliment to their leading friends are to be entitled
to claim a place for their portraits in Faneuil
Hall, that honored building might soon be filled,
at the expense of some of the respect with which we
are accustomed to regard it. It must be remem-
bered that the associations connected with Faneuil
Hall are the property of the whole nation, &
there seems to be great propriety in restricting
the portraits to be placed there to those of per-
sons whose achievements have been of import-
ance to the nation, & upon whose characters &
conduct the feat of national approbation has
been set by the rank they have borne in the
national service. Mr. Adams having been
raised to the highest office in the United
States, unites the claim derived from that
station, with those which arise from a long
career distinguished for the private virtues.
The Committee are of the opinion that those,
& those only, to whose character & conduct the
approbation of the public has in some form
been given, are entitled to a place among the
patriots whose figures adorn the walls of the
Cradle of Liberty, & on this ground they recommend
the passage of the following order. For the Committee
Saml. A. Eliot. Ordered, that the portra-
it of J. Q. Adams, late President of the United

425. Slates presented to the City by Jonathan T. Phillips, & others, be placed in Faneuil Hall. Read. Accepted & the order passed.

Adjourned to Monday next.
four o'clock P.m.

(P) A meeting of the Board of Aldermen of the City of Boston, held at City Hall, on Monday the thirty first day of December A.D. 1838. — Present.

The Mayor & the whole Board of Aldermen.

City Council
Proceedings. The Committee appointed to consider the expediency of adopting measures to have the proceedings of each Board of the City Council correctly reported for publication, reported that it is inexpedient for the City Council to take any order on this subject. Accepted in Common Council. Came up for concurrence. Read & concurred.

Appropriations. Order of the Common Council referring the Auditors report in relation to appropriations to the Committee on Finance, with instructions to report the details of the accounts, under the head

of appropriations for incidental expenses & misc. 112.6.
collaneous claims & the City Police. Came up for
concurrence. Read & concurred.

The Committee appointed Franklin
to audit the accounts of the Treasurer of the Frank. fund.
The fund. reported as follows, viz. That they exam-
ined & certified in duplicate said Treasurer's ac-
counts to the twenty eighth of December 1858. & found
that his vouchers agreed with his account, a copy
of which is herewith exhibited, viz.

Estimated value of bonds in the hands of the Treasurer \$1666.52

Deposited in the Safe Office Dec. 31. 1857 \$ 23,989.65

Interest to Dec. 31st 1858 at 5 $\frac{1}{2}$ per. cent. 1.319.39 25.309.04

Balance in hands of the Treasurer 36.73
27.006.29

Nathan. Dury. M. Brimmer Committee.

Read & Accepted.

The Committee on the House of Reformation
of Reformation to whom was referred the accounts
of that Institution to the thirty first of March
last, reported as follows, viz. That they have inquired
into the reason of the delay in presenting them to mass.
& have ascertained that it arose from an accidental
delay in obtaining the returns from one of the stores,
which is not likely to occur again. They are of
opinion that no action of the Council is neces-
sary in relation to it, & ask to be discharged. For
the Committee. Paul. A. Eliot. Read & Accepted.
put down for concurrence. Came up concurred.

Fire
(Department.)

The Committee on the Fire

department who were instructed to consider & report on the expediency of providing for withholding the compensation of those members of the department who may be discharged for neglect of duty, reported as follows. viz. That, in their opinion, there is great injustice both to the City & to the active members of the fire companies in continuing to pay for the performance of duty during the time it has been neglected, & they think it would be both just & expedient to discontinue the compensation from the date of the neglect. In all cases in which it becomes necessary to discharge a member for this cause, the clerk of the company should be instructed to make a return of the date at which the neglect began, & the pay of such member should be calculated up to that time, & no longer. The Committee therefore propose the adoption of the following rule to be added to the regulations of the Fire Department. For the Committee. Saml. A. Eliot. Ordered, that the following rule be added to the Rules & Regulations of the Fire Department adopted by this board Oct. 23, 1857.

In all cases, in which it becomes necessary to discharge a member of any company for neglect of duty, the clerk of such company shall make return of the date from which the neglect began, & the pay roll of such discharged member shall be made up to that date only. Read & Accepted.

An Ordinance in addⁿ 1128.
dition to an ordinance establishing the office of Streets.
Superintendent of Streets & prescribing the duties
thereof; to prevent unlawful & injurious prac-
tices in the Streets of the City; & in relation to side-
walks. passed. Sent down for Concurrence.
Came up concurred with an amendment. Read &
Concurred.

The Committee appointed to Coal.
consider & report on the expediency of appointing weigh-
ers of Coal when sold from off the wharves in the City.
reported as follows viz. That your Committee have
had several meetings on the subject, but have not
been able to agree upon a plan to recommend for the
adoption of the City Council. but believing the sub-
ject to be of that importance to the public, that they
recommend that the whole subject be referred to the
next City Council. For the Committee, Thos. Huntington.
Laid in Common Council. Came up for Concurrence.
Read & Concurred.

Application of the President Harvard
& Fellows of Harvard College, to be paid for land tak-
en from their estate to widen Friend & Manchester
Streets, devised to them by the last will of Henry
Kirkman deceased. Referred to the Committee on Streets.

Application of Thomas Green. Granting
to be paid for land taken from his estate to make
a way around the new Court House. Referred to the
Committee on Streets.

429.
Fales.
Williams
Court.

The Committee on Streets & Parks
was referred the petition of Samuel Fales, & others,
that Williams Court be accepted & declared a public
highway, reported as follows. viz. That said
Court was laid out Ten feet wide extending Two
hundred & ten feet westerly from Washington Street.
That by widening Court Square a part of said Court
was taken into the Street so that said Court now ex-
tends from Washington Street to said Court Square.
That Joseph Morris Esq. now claims payment for
the land taken from said Court into the Street
that forms a part of said Square & also to own a part
of the remainder. The Committee however do not
allow said Morris claim, but so long as he or any
other person claims said Court as private property
they deem it sufficient reason for not accepting it
as a public highway, & ask to be discharged.
For the Committee. Henry Farnham. Read &
Accepted.

Junk
Shops.

The joint Committee who were
instructed to consider the expediency of a Law,
requiring all junk shops, so called, to be licensed
& regulated, reported as follows. viz. That many
of the shops & other places which are used for the pur-
chase & sale of junk, old iron & other metals, second
hand clothing & similar articles, have been for a long
time & to a great extent, merely receptacles for stolen
goods, & may be considered as great moral nuis-
ances, on account of the inducements they contin-

ually hold out to petty pilfering & stealing. The 430.
Committee are, therefore of opinion that the good of
Society requires that some additional restraints and
regulations ought to be imposed upon them, more
severe & rigorous in their character than is within
the power of the City Council to effect, & that for
this purpose an application ought to be made
forthwith to the Legislature of the Commonwealth,
& they respectfully offer the following order, for
the Committee. The Motion. Ordered, that
the Mayor be requested to apply to the Legislat-
ure for the passage of an act for the purpose of li-
censing, regulating & restraining the sale of junk,
old iron & other metals, rags & other clothing, sim-
ilar articles. Read & Accepted. Sent down
for concurrence. Came up Concurred.

The Committee on paving Washington
to whom was referred an order, dated April 30. That.
1838, also an order dated December 20. 1838. in-
structing them to inquire into the expediency of
repairing certain portions of Washington Street.
reported as follows, viz. That it is inexpedient for
the present Board to take any action on the subject.
Read & Accepted.

The Committee on paving Bagg
to whom was referred with full power, the petition of
J. M. W. 13040, for leave to sink a new sewer in
Brattle Street. reported, that the prayer of the

437. Petitioner has been granted. Read & Accepted.

Battery
Marsh,
Street.

The Committee on Graving
to whom was referred an order dated Nov. 19. 1838, on
uncovering a pump from Battery Marsh Street &c.
reported, that the subject be referred to a Sanitary
Board. Read & Accepted.

Commercial
Street.

Resolved, that the safety &
convenience of the Inhabitants requires that Commer-
cial Street be widened. Therefore ordered, that
the same be hereby widened near Prince Street as
follows, viz. Beginning at the northwesterly
side of a post standing at the corner of Prince &
Commercial Street, from thence running north-
westerly one hundred & four feet by a straight line to the
westerly corner of a brick house on said Commer-
cial Street, at the corner of Hull Street, then run-
ning southwesterly by the present line of said
Commercial Street two hundred & four feet to
the place of beginning, taking from the heirs of
Hopley sixty eight $\frac{1}{12}$ square feet of land, from Mr.
J. Shaw Esq. six hundred & fifty three square feet of
land, from a passage way twenty two square feet as
marked on a plan drawn by S. P. Fuller dated
July 11. 1836.

Unfinished,
business.

The Committee on unfinished
business, reported as follows, viz. That they do
not find that there is any unfinished business

which particularly requires such action. They 1132.
further report that no reports have been received
from joint Committees appointed on the following
subjects, viz. The order relative to applying to the
Legislature, concerning the connection between Bos-
ton & Chelsea. The petition of David Coolidge &
others, relative to the emptying of vaults. & the
order relative to the Armories in Faneuil Hall.

For the Committee. Tho. Wetmore. Read & accep-
ted. Put down for concurrence. Came up concur-
(res.

Thomas Richardson protests Richardson.
against the order of this board on Monday last,
relative to land & flats at & near the termination
of Summer street. Read & filed.

*) Adjourned to Saturday
next, Twelve O'Clock M.

* The committee on passing to Huntington
whom was referred the petition of Ralph Huntington, William
and others, to have Middlesex street graded, reported
that it is inexpedient for the City to grade said street
at present. Res. not recorded.

Adjourned as above.

1133.

At a meeting of the board
of Aldermen of the City of Boston, held at City
Hall, on Saturday the fifth day of January
9, 1839.

Present.

The Mayor, Aldermen Tarnam, Wetmore, Hay-
nard, Huntens, Harris & Brimmer.

City Stables
Cistern.

Ordered, That the Committee
on internal health be authorized & instructed to
cause a cistern to be built at the City Stables;
provided the cost thereof shall not exceed the sum
of Seven hundred dollars.

Mainford
Island.

The Committee on quaran-
tine reported, an exact account of the state of
the property of the Commonwealth belonging to or
connected with the Hospital establishment
on Mainford Island; & that the same be filed
in the office of the Secretary of the Commonwealth.
Read & Accepted.

Finance
appropriations.

The Committee on Finance
were instructed to report the detail of accounts
under the heads of appropriations for incidental expen-
ses, miscellaneous claims, & the City police, reported
as follows, viz. It is believed that this document needs
no explanation. It will be perceived that the princi-
pal charges are for usual & necessary expenses, unless
that for the public dinner on the fourth of July,
ordered by the Council, should be considered an

exception. with regard to the expenditure for police, 1134.
the Committee have obtained a return from the
City Marshal to the Mayor, for the last six months,
embracing nearly the whole period since the pas-
sage of the appropriation bill, by which it appears
that eight officers have been pretty constantly em-
ployed in different parts of the City, & have ren-
dered themselves useful & acceptable to the cit-
izens by the services they have rendered. By their
means there have been five hundred & fifty four
convictions & commitments in the Police & Muni-
cipal Courts, averaging more than seventy
to each officer; & the proof of the necessity of
their appointment, & of the singular discretion
with which they have performed the duties of
their station, is that scarcely any discharges or
acquittals have taken place from the complaints
they have brought, & that they have secured the
confidence of those who need their protection. No
higher praise can be given to a Police officer.

It ought to be added, as the belief of the Com-
mittee, that they have probably prevented the com-
mission of many more offences than they have
brought into Court. all which is respectfully sub-
mitted. For the Committee. Saml. J. Eliot.

Ordered, there be added to certain appropri-
ations the following sums of money, viz.

To the Appropriation for Repairs, fuel, & other
contingent expenses, of all the schools, except the

1135. Primary School, four thousand dollars:-

To the Appropriation for Repairs of Public Buildings, one thousand dollars:-

To the Appropriation for Paving & Repairs of Streets, eight thousand dollars:-

To the Appropriation for Repairs of Bridges belonging to the City, one thousand dollars:-

To the Appropriation for fixtures to extend the use of Gas, in lighting the streets of the City, one thousand dollars:-

To the Appropriation for the City Police, three thousand dollars:-

To the Appropriation for the External Health Department, one thousand dollars:- and

To the Appropriation for Incidental Expenses, & miscellaneous Claims, six thousand dollars.

Ordered, That, for the purpose of defraying the expenses incurred in relation to surveys for the introduction of a supply of pure water into the City, the sum of three thousand dollars be, & the same is hereby appropriated. Ordered, That, for the purpose of meeting the various Appropriations granted by the foregoing orders, the City Treasurer be, & he is hereby, authorized to borrow, under the direction of the Committee of Finance, a sum of money not exceeding twenty eight thousand dollars. The Common Council, read & passed Thirty two members voting in the affirmative, & four in the negative.

Came up for concurrence. Read, & on the ques- 113b.
tion of concurrence, the yeas & nays were taken
as follows. viz Yeas Aldermen Farnam, Wet-
more, Hayward, Huntington, Harris & Brimmer.
6. Nays none. So the same passed in
concurrence.

Ordered, That all matters ^{referred}
& things not acted upon be referred to the
next board.

The board was then
adjourned without day.

Attest,
S. J. McCleary,
City Clerk.

I certify that the foregoing is a true
record of the board of Aldermen, for the year 1838
from pages 1 to 113b inclusive, to January 5. 1839.

Attest;

S. J. McCleary,
City Clerk.

The referees in the case of the City of Boston, & Marshall Lyman
vs. Marshall & Theodore Lyman, Esquires, to whom, among other things
named in the bond annexed to said report as on file, were referred
the following questions, in the premises, that is to say, "Whether
any part, and if any what part of the land of said Marshall
Lyman shall be taken to make a part of the said proposed

13th. And if the said arbitrators shall decide that any part of the land of said Lyman & Marshall shall or so taken, then the said arbitrators shall determine, what compensation, if any, shall be paid by said City to said Lyman & Marshall therefor" having met & heard the parties and their counsel and examined the evidence offered in the case, do award, that on condition said Street shall be laid out and made by said City forty feet wide from each of the N.W. & S.W. corners of the new Court house on Court street, said Marshall and Lyman shall convey to said City of Boston, a piece of land adjoining the City's land of sufficient width to enable the City to make the proposed Street forty feet wide as above, which according to a plan drawn by S. P. Fuller, and annexed to said award, on file, contains fifteen hundred & twenty one feet; reserving to the City the right to continue the stone steps on the westerly side of said new Court house; and to said Marshall & Lyman the right to construct vaults or arches under the premises, in conformity to the City ordinances. The referees further award, that the City of Boston shall pay to said Marshall & Lyman in full for said land conveyed to make a part of said proposed street, and all other claims submitted to us, by the bond annexed to said award on file, the sum of eighty dollars, and pay the cost of reference taxed at sixty dollars. Boston 2^d Nov. 1838.

Tho. B. Wales
Geo. W. Lyman
Robt. G. Shaw

Referees.

In the board of Aldermen November 5. 1838.

Resolved, that the safety & convenience of the Inhabitants require, that a Street be laid out around the new Court house - therefore ordered, that the same be

and is hereby laid out as a public street and highway as follows 1438
viz: Beginning at the northerly corner of Tudor's buildings on
Court street, from thence running southerly a little westerly,
by the front of said Tudor's buildings and buildings belonging
to the Fifty associates, one hundred and eighty two feet six
inches to the westerly corner thereof; then running a little
more southerly by a straight line one hundred forty six
feet more or less to the easterly corner of land belonging to
the County of Suffolk, on which the old Court house now
stands; then running northerly by said land belonging to the
County of Suffolk, one hundred and thirty six feet more or
less; then running northerly a little easterly by a straight line
parallel with the westerly side of the new Court house, &
fifty feet distant westerly from the base of said Court house,
and measuring on this line two hundred and ninety five feet,
more or less to Court street; then running easterly a little
southerly by said Court street, thirty five feet; then running
southerly a little westerly by a straight line parallel with
said base of said Court house, and five feet distant therefrom;
measuring on this line two hundred and thirty six feet, then
running easterly a little southerly by the southerly side of
the southerly steps of said new Court house, thirty four feet
seven inches; then running northerly a little easterly by a
straight line parallel with the base of said new Court house
and five feet easterly therefrom two hundred and thirty six feet
more or less to said Court street; then running easterly a
little southerly by said Court street, thirty four feet six inches
to the place of beginning, taking five hundred and twenty
five feet of land from the Fifty associates. Nine hundred and thirty

1439. lot from William S. Arelston. Two thousand and five feet from Joseph Town. Three thousand five hundred and seventy five feet from Thomas Greenleaf. Fifteen hundred and twenty one feet from Josiah Marshall; and the residue from land belonging to the City of Boston, and streets, courts or passage ways in which said City have rights, is marked on a plan drawn by A. P. Fuller, dated November 3^d 1838. as on file.

The foregoing is a true record, which ought to have been recorded under proceedings of November 5. 1838. page 374.

Attest,

W. M. Cleary, City Clerk.

Charles Street
Common sewer.

Ordered, That the joint committee on public lands be authorized to purchase, for the use of the City, if they deem it expedient, a lot of ~~land~~ flats belonging to the Charles Street Baptist Society; s. lot being about thirty feet in front, by about two hundred & seventy feet deep, being the same lot thro' which a common sewer has lately been constructed by the City, lying westerly of the meeting house of the said society. The above passed the board of Aldermen Oct: 29. 1838. Sent down for concurrence. The Common Council passed the same in concurrence, with the following amendment: "Provided, that the cost thereof shall not exceed the sum of twelve hundred dollars, and that the amount necessary to meet the expenses, be charged to the appropriation for common sewers, wells & pumps" - Nov. 22. 1838. Came up for concurrence. Resol: I concurred in the board of Aldermen, Nov. 26. 1838. - See the original report and order on file, the same being recorded at large in the records of the Common Council Vol. 1st pages 378. 379 & 383. This ought to have been recorded under date of meeting of Aldermen Oct: 29. 1838. - Vol. 361.

Attest, W. M. Cleary, City Clerk.

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